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THE
POLITICIAN'S CREED;

OR,
POLITICAL EXTRACTS:

BEING
AN ANSWER TO THESE QUESTIONS,

What is the best Form of Government?

AND

*What is the best Administration of a
Government?*

BY A LOVER OF SOCIAL ORDER.

VOL. I.

by R. J. Thornton
author of
Sexual System
of Man

There are three things which *every one* presumes to know, whether he has
studied them or not, viz. MEDICINE, POLITICS, and THE ART OF
MENDING A DULL FIRE.

DR. BEDDOES.

LONDON:

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1799.

POLITICIAN'S CREDIT

DEDICATION.

TO

WILLIAM WILBERFORCE, Esq. M.P.

SIR,

MY design in these POLITICAL EXTRACTS, is *impartially to investigate the advantages and disadvantages of the different forms of Government, which have prevailed previous to the establishment of our present HAPPY CONSTITUTION; and to allege arguments, drawn from the best authorities, for giving a preference to OUR MIXED FORM, as being most favourable to the freedom and permanent happiness of the governed; and, I trust, that my conclusions will appear to you, Sir, and to other minds, equally pure and*

unprejudiced, as the fair and honest result of a comprehensive and liberal inquiry. I have forbore entering, as I had first intended, into the consideration of the American and French Republics; as the former is an infant state, where population and luxury have not yet reached their limits; and the latter, still continuing a struggle of contending factions (resembling much the unhappy records of ancient republics), has not, and, perhaps, never will be settled, and therefore can form no data for reasoning on modern republicanism. In the other volumes I have ventured upon a truly sublime subject, more suited to talents and virtues, such as you are known to possess, which is, *the management of a state, so as to produce the greatest general security and happiness*; and if, in this arduous attempt, I may have appeared deficient, or much to have erred, I trust that the generous heart will excuse my failure, in con-

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sideration

consideration of the motives that have actuated my conduct in this inquiry; for I can have no other wish but that of approving myself both a sincere patriot and a good subject. Wishing you, Sir, every success in your uniform exertions for the welfare of your country, I have the honour to be,

SIR,

With the utmost Esteem, Veneration, and Respect,

Your obedient humble Servant, &c. &c.

December 1, 1798.

of the archives that have assisted my
conduct in this inquiry, for I can have no other
with me than of approving myself both a honest
patriot and a good subject. Wishing your Sir
every success in your uniform exertions for the
welfare of your country, I have the honor
to be, Sir, your obedient servant.

SIR,

With the utmost Respect, Veneration, and Gratitude,

Your obedient humble servant, Geo. C.

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PREFACE.

P R E F A C E.

IT is a *question* with several, whether there be *any essential difference* between *one* FORM OF GOVERNMENT and *another*? or, whether *every* FORM may not become *good* or *bad*, according as it is *well* or *ill administered*?—Were it once admitted, that *ALL governments* are *alike*, and that the *only* difference consists in the *character* and *conduct* of the *governors*, most *political disputes* would be at an *end*, and all *zeal* for *one constitution* above *another* must be esteemed *mere bigotry* and *folly*.—But, though a friend to *moderation*, I cannot, says HUME, forbear condemning this sentiment, and should be sorry to think, that *human affairs* admit of *no greater stability*, than what they receive from the *casual humours* and *characters* of *particular men*.

It is *true*, those who maintain, that the *goodness* of all governments consists in the *goodness* of the *administration*, may cite many particular instances in history, where the *very same government*, in *different hands*, has varied suddenly into the two *opposite extremes* of *good* and *bad*.—Compare the French government under HENRY IV.—Oppression, levity, artifice, on the part of the *rulers*; faction, sedition, treachery, rebellion, disloyalty, on the part of the *subjects*: these compose the character of the former miserable æra.—But when the patriotic and heroic prince, who succeeded, was once firmly seated on the throne, the *government*, the *people*, every thing, seemed to be *totally changed*; and all from the *difference* of the *temper* and *sentiments* of *these two sovereigns*.—Instances of *this kind* may be *multiplied*, almost *without number*, from *ancient* as well as *modern history*, *foreign* as well as *domestic*.

But here it may be proper to make a *distinction*.—All ABSOLUTE GOVERNMENTS must very
much

much *depend* on the *administration*; and this is one of the *greatest inconveniences* attending that *form* of government.—But a REPUBLICAN OR MIXED GOVERNMENT would be an *obvious absurdity*, if the particular *checks* and *controuls*, provided by the *constitution*, had really *no influence*; and made it not the *interest*, even of *bad men*, to *act* for the *public good*.—Such is the *intention* of these *forms* of government, and such is their REAL EFFECT, where they are WISELY CONSTITUTED: as, on the *other hand*, they are the *source of all disorder*, and of the *blackest crimes*, where either *skill* or *honesty* has been *wanting* in their original *frame* and *institution* *.

So great is the *force of laws*, and of particular *forms of government*, and so *little dependence* have they on the *humours* and *tempers* of men, that *consequences* almost as *general* and *certain* may some-

* The present constitution in France can hardly be called a *mixed form* of government, it has no balance of interests and powers.—It is a *pure republic*, although *representative*, and a sad example of the truth of the above remark.

times be *deduced* from them, as *any* which the *mathematical sciences* afford us.

The *constitution* of the ROMAN REPUBLIC gave the whole legislative power to the *people*, without allowing a *negative voice* either to the *nobility* or *consuls*.—This *unbounded power* they possess in a *collective*, not in a *representative* body.—The *consequences* were: When the people, by success and conquest, had become *very numerous*, and had spread themselves to a great distance from the capital, *the city-tribes*, though the *most contemptible*, carried almost *every vote*: they were, therefore, most *cajoled* by every one that *affected popularity*: they were supported in *idleness* by the general *distribution of corn*, and by *particular bribes*, which they received from almost *every candidate*: by this means they became every day more *licentious*, and the CAMPUS MARTIUS was a perpetual scene of *tumult* and *sedition*: *armed slaves* were introduced among these *rascally citizens*; so that the *whole government* fell into *anarchy*, and the

the *greatest happiness*, which the ROMANS could look for, was the *despotic power* of the CÆSARS. —SUCH ARE THE EFFECTS OF DEMOCRACY WITHOUT A REPRESENTATIVE.

A *Nobility* may possess the whole, or any part of the legislative power of a state, in *two* different ways. — Either *every nobleman* shares the power as *part* of the *whole body*, or the *whole body* enjoys the power *as composed of parts*, which have *each a distinct power and authority*.

The VENETIAN aristocracy is an instance of the *first* kind of government; the POLISH of the *second*.

In the VENETIAN government the *whole body* of nobility possesses the whole power, and *no nobleman* has any authority which he receives not from the *whole*.

In

In the POLISH government *every nobleman*, by means of his fiefs, has a *distinct* hereditary authority over his vassals, and the *whole body* has no authority but what it receives from the concurrence of its parts.

The different operations and tendencies of these two species of government might be made apparent even a priori.—A VENETIAN nobility is *preferable* to a POLISH, let the *humours* and *education* of men be ever so much *varied*.—A nobility, who possess their power in *common*, will preserve peace and order, both among themselves, and their subjects; and no member can have authority enough to controul the laws for a moment.—The *nobles* will preserve their authority over the people, but without any grievous tyranny, or any breach of private property; because such a tyrannical government promotes not the interest of the whole body, however it may that of *some individuals*.—There will be a distinction of rank between the nobility and people, but this will be
the

the only distinction in the state.—The *whole nobility* will form *one body*, and the *whole people* another, without any of those *private feuds* and *animosities*, which spread *ruin* and *desolation* every where.—It is easy to see the *disadvantages* of a *POLISH* nobility in *every one* of *these particulars*.

It is possible so to constitute a *FREE GOVERNMENT*, as that *a single person*, call him *doge*, *prince*, or *king*, who shall possess a *large share* of *power*, shall form a *proper balance* or *counterpoise* to the other parts of the legislature.—*This chief magistrate* may be either *elective* or *hereditary*; and though the *former* institution may, to a *superficial view*, appear the *most advantageous*, yet a *more accurate inspection* will discover in it *greater inconveniences* than in the *latter*, and such as are founded on causes and principles eternal and immutable.—THE FILLING OF THE THRONE, IN SUCH A GOVERNMENT, IS A POINT OF TOO GREAT AND TOO GENERAL INTEREST, NOT TO

DIVIDE THE WHOLE PEOPLE INTO FACTIONS :
WHENCE A CIVIL WAR, THE GREATEST OF ILLS,
MAY BE APPREHENDED, ALMOST WITH CER-
TAINTY, UPON EVERY VACANCY.—The *prince*
elected must be either a *foreigner* or a *native*: the
former will be ignorant of the people whom he is to
govern; suspicious of his new subjects, and suspected
by them; giving his confidence entirely to strangers,
who will have no other care but that of enriching them-
selves in the quickest manner, while their master's fa-
vour and authority are able to support them.—A na-
tive will carry into the throne all his private ani-
mosities and friendships, and will never be viewed in
his elevation, without exciting the sentiment of envy
in those, who formerly considered him as their equal.
—Not to mention, that a crown is too high a re-
ward ever to be given to merit alone, and will al-
ways induce the candidates to employ force,
or money, or intrigue, to procure the votes of
the electors: so that *such an election* will give no
better chance for superior merit in the prince, than

if

if the state had trusted to *birth alone* for determining *their sovereign*.

It may therefore be pronounced as an *universal* axiom in politics, THAT AN HEREDITARY PRINCE, A NOBILITY WITHOUT VASSALS, AND A PEOPLE VOTING BY THEIR REPRESENTATIVES, FORM THE BEST MONARCHY, ARISTOCRACY, AND DEMOCRACY.—But in order to *prove* more fully that POLITICS ADMIT OF GENERAL TRUTHS, which are *unchangeable* by the *humour* or *education* either of *subject* or *sovereign*, it may not be amiss to observe some other *principles* of this science, which may seem to deserve *that character*.

There are two great tyrannies, the tyranny of a *despot*, and that of a *multitude*.—Of these the most dreadful is *republican tyranny*.—The *despot* may receive the just blow, and fall from his high elevation, nothing is required but the arm of a Brutus: but the destruction of the *many-headed monster* is an Herculean labour.

In *despotic states*, as well as in *republics*, the downfall of the ministers of government is usually effected by the death of the parties.—In the *former*, they quietly yield up their breath; in the *latter*, the struggle is attended with a dreadful convulsion, and the superiour faction gains the ascendancy after a mighty carnage.

Situated *between* the *two* stands, *our* MIXED FORM OF GOVERNMENT, a GOVERNMENT *nicely poised between* THE EXTREMES of TOO MUCH LIBERTY and TOO MUCH POWER, where an unsuccessful and improvident minister is displaced without the loss of life, and the murder of friends, and where the several parts of the CONSTITUTIONS are so framed, that they serve as a check to each other; a CONSTITUTION, where the king is clothed with a power, that enables him to do all the good he has a mind to; and wants no degree of authority, but what a good prince would not, and an ill one ought not to have: where he governs, though not absolutely,

ly, yet gloriously, because he governs men, and not slaves; and is obeyed by them cheerfully, because they know that, in obeying him, they obey those laws only which they themselves have had a share in contriving.

It is undoubtedly very natural for men to think *that form of government* the best, under which they draw their first breath, and to propose it as a model and standard for all others.—But, if any people upon earth have a just title thus to boast, it is *we of this island*; who enjoy a CONSTITUTION, *wisely moulded, out of all the different forms and kinds of civil government, into such an excellent and happy frame, as contains in it all the advantages of their several forms, without sharing in any of their great inconveniencies.*

Our MIXED FORM of GOVERNMENT is authorized by lawyers, admired by strangers, recommended by divines, acknowledged by politicians, acquiesced in, nay passionately cherished,
by

by *the people* in general ; and all this during a period of at least a *hundred and eighty years*.—This general consent surely, during so long a time, must be sufficient to render any constitution legal and valid : if the origin of all power be derived, as is alledged, from the people ; here is *their consent* in the fullest and most ample terms that can be derived or imagined.—We must be all sensible that the plan of liberty is settled ; its happy effects are proved by experience ; a long tract of time has given it stability.—We must be sensible, that public liberty, with internal peace and order, has flourished almost without interruption : trade and manufactures, and agriculture, have increased : the arts and sciences, and philosophy, have been cultivated.—Even religious parties have been necessitated to lay aside their mutual rancour : and the glory of the nation has spread itself over Europe ; derived equally from our progress in the arts of peace, and from our valour in war.—*So long and so glorious a period no nation almost can boast of : nor is there another instance in the whole history*

tory of mankind, that so many millions of people have, during such a space of time, been held together, in a manner so free, so rational, and so suitable to the dignity of human nature.

Legislators, therefore, ought not to trust the government of a state entirely to chance, but ought to provide a system of laws to regulate who are to administer public affairs to the latest posterity.—Effects will always correspond to causes; and wise regulations in any commonwealth are the most valuable legacy that can be left to future ages.—In the smallest court or office, the stated forms and methods, by which business must be conducted, are found to be a considerable check on the natural depravity of mankind.—Why should not the case be the same in public affairs?—Can we ascribe the stability and wisdom of our MIXED CONSTITUTION, through so many ages, to any thing but the form of government?—And is it not easy to point out those defects in the ORIGINAL CONSTITUTION, which produced the tumultuous governments of ATHENS and of ROME,

Rome, and ended at last in the ruin of these two famous republics?

HERE, THEN, IS A SUFFICIENT INDUCEMENT TO MAINTAIN, WITH THE UTMOST ZEAL, THOSE FORMS AND INSTITUTIONS, BY WHICH LIBERTY IS SECURED, THE PUBLIC GOOD CONSULTED, AND THE AVARICE OR AMBITION OF PARTICULAR MEN RESTRAINED.

ORIGIN

ORIGIN OF GOVERNMENTS

PART I.

POLITICAL DISQUISITIONS

ON THE

ADVANTAGES AND DISADVANTAGES

OF

DIFFERENT GOVERNMENTS.

PART I
POLITICAL DISPOSITIONS
ON THE
ADVANTAGES AND DISADVANTAGES
OF
DIFFERENT GOVERNMENTS.

ORIGIN OF GOVERNMENTS.

SECT. I.

PATERNAL AUTHORITY;

OR,

FIRST STAGE OF SOCIETY.

AMONG savages, who are strangers to the art of writing, and who have scarcely any method of recording facts, the experience and observation of each individual are almost the only means of procuring knowledge; and the only persons who can attain a superior degree of wisdom and sagacity, are those who have lived to a considerable age.—In all barbarous countries *old men* are therefore universally respected, and attain superior influence and authority.

Among the *Grecians*, at the siege of Troy, the man who had lived three ages was treated with uncommon deference, and was their principal adviser and director in all important deliberations.

“ Dost thou not see, O Gaul,” says MORNÍ, in one of the poems of Ossian, “ how the steps of my age are
 “ honoured? MORNÍ moves forth, and the young meet
 “ him with reverence, and turn their eyes, with silent
 “ joy, on his course*.”

The *Jewish lawgiver*, whose system of laws was, in many respects, accommodated to the circumstances of an early people, has thought proper to enforce the respect due to old age, by making it even the subject of a particular precept.—“ See that thou rise up before the hoary
 “ head, and honour the face of the old man †.”

So inseparably connected are age and authority in early periods, that in the language of rude nations the same word which signifies an *old man* is generally employed to denote a *ruler* or *magistrate* ‡.

Among the *Chinese*, who, from their little intercourse with strangers, are remarkably attached to their ancient usages, the art of writing, notwithstanding their improvement in manufactures, is still beyond the reach of the vulgar.—This people have accordingly preserved that

* Vide the Poem of Ossian by Macpherson.

† Leviticus, chap. xix. ver. 32.

‡ In the language of the Arabs, see D'Arvieux trav. Arab.—This also is the case in the German and most of the modern languages of Europe.

high admiration of the advantages arising from *long experience* and *observation*, which we commonly meet with in times of ignorance and simplicity.—Among them, neither birth, nor riches, nor honours, nor dignities, can make a man forget that reverence which is due to *grey hairs*; and we are told, that the sovereign himself never fails to respect *old age*, even in persons of the lowest condition*.

We may easily imagine that this admiration and reverence, which is excited by wisdom and knowledge, must, in a particular manner, affect the *conduct* of *children* with respect to their father.—The experience of the father must always appear greatly superior to that of his children, and becomes the more remarkable, according as he advances in years, and decays in bodily strength.—He is placed in a situation where that experience is constantly displayed to them, and where, being exerted for their preservation and welfare, it is regarded in the most favourable light.—From him they learn those contrivances which they make use of in procuring their food, and the various stratagems which they put in practice against their enemies.—By him they are instructed in the

* The art of printing and writing has greatly tended to abolish this respect in more enlightened countries.

different branches of their domestic œconomy, and are directed what measures to pursue in all those difficulties and distresses in which they may be involved.—They hear, with wonder, the exploits he hath performed, and the precautions which he hath used in former times to avoid the evils with which he was surrounded, or the address and dexterity which he hath employed to extricate himself from those misfortunes which had befallen him; and, from his observation of the past, they are enabled to learn useful lessons of prudence, for the regulation of their future conduct and behaviour.—If ever they depart from his counsel, and follow their own headstrong inclination, they are commonly taught by the event to repent of their folly and rashness, and are struck with new admiration of that uncommon penetration and foresight which he appears to possess.—They look upon him as a superior being, and imagine that the gifts of fortune are at his disposal.—They dread his curse, as the cause of every misfortune; and they esteem his blessing of more value than the richest inheritance.

In the Iliad, when PHENIX is sent on a message to Achilles, he bewails his misfortune in having no children

dren of his own, and imputes it to the curse of his father, which he had incurred in his youth.

My fire with curses loads my bated head,
And cries, "Ye furies! barren be his bed!"
Infernal JOVE, the vengeful fiends below,
And ruthless PROSERPINE confirmed his vow.

HOMER.

"And ESAU said unto his father, Hast thou but one blessing, my father? Bless me, even me also, O! my father.—And ESAU lift up his voice and wept *."

To these observations we may add, that the authority of the father is confirmed and rendered more universal, by the force and influence of *custom*.

We naturally retain, after we are old, those habits of respect and submission which we received in our youth; and we find it difficult to put ourselves upon a level with those persons whom we have long regarded as greatly our superiors.—The slave, who has been bred up in a low situation, does not immediately, upon obtaining his freedom, lay aside those sentiments which he has been accustomed to feel.—He retains for some time the idea of his former dependence; and, notwithstanding the change of his circumstances, is disposed to con-

* Genesis, xxvii. 38.

tinue

tinue that respect and reverence which he owed to his master.—We find, that the legislature, in some countries, has even regarded and enforced these natural sentiments.—Among the *Romans* a freed man was, through the whole of his life, obliged to pay to his patron what was called “*obsequium et reverentia* ;” and which consisted in attendance upon him on public occasions, and in shewing him certain marks of honour and distinction.—If ever he failed in the observance of these duties, he was thought unworthy of his liberty, and was again reduced to be the slave of that person to whom he had behaved in so unbecoming a manner*.

A son, who has been accustomed from his infancy to serve and to obey his father, is in the same manner disposed *for the future* to continue that service and obedience.—Even after he is grown up, and has arrived at his full strength of body, and maturity of judgment, he retains the early impressions of his youth, and remains, in a great measure, under the yoke of that authority to which he hath hitherto submitted.—He shrinks at the angry countenance of his father, and trembles at the power of that arm whose severe discipline he has so often

* Vide Heineccii antiq. Roman. lib. 9. sect. 1, Dig. de op. lib. sect. 1. Inst. de cap. deminut. l. un. Cod. de ingrat. liber.

experienced, and of whose valour and dexterity he has so often been a witness.—He thinks it the highest presumption to dispute the wisdom and propriety of those commands to which he has always listened, as to an oracle, and which he has been taught to regard as the infallible rule of his conduct.—He is naturally led to acquiesce in that jurisdiction which he has seen exerted on so many different occasions, and which he finds to be uniformly acknowledged by all the members of the family.—In proportion to the severity and rigour with which he is treated, his habits of submission become the stronger, and his implicit obedience is esteemed the more indispensably necessary.—He looks upon his father as invested by heaven with an unlimited power and authority over all his children ; and imagines that, whatever they may suffer from his arbitrary conduct, their rebellion against him, or resistance to his will, would be the same species of impiety, as to call in question the authority of the Deity, or to quarrel with those severe dispensations of Providence with which, in the government of the world, he is sometimes pleased to visit his creatures.

From these dispositions, which commonly prevail among the members of his family, the father can have

no difficulty to enforce his orders, wherever compulsion may be necessary.—In order to correct the depravity, or to subdue the unruly temper of any single child, he can make use of that influence which he possesses over the rest, who will regard the unnatural behaviour of their brother with horror and detestation, and be ready to contribute their assistance in reducing him to obedience, or in punishing his transgression.

In the history of early nations, and even of those which have made some advances in refinement, we meet with a great variety of *facts* to illustrate the *nature* and *extent* of that *jurisdiction* and *authority* which originally belonged to the father, as the head and governor of his family.

We are told, by CÆSAR, that among the *Gauls* the father had the power of life and death over his children*; and there is reason to believe, that, among the ancient *German nations*, he was invested with the same unlimited jurisdiction†.

According to the customs which took place among the early inhabitants of *Arabia*, it would seem, that, in like manner, the father was under no restraint in the

* Cæs. de bell. Gall. lib. 6.

† See Heineccius elem. jur. German.

nistration and government of his family.—When the sons of JACOB proposed to carry their brother BENJAMIN along with them into Egypt, and their father discovered an unwillingness to part with him, “REU-
 “BEN spake unto his father, saying, Slay my two sons,
 “if I bring him not to thee: deliver him into my
 “hand, and I will bring him to thee again*.”

Among the *Tartars*, nothing can exceed the respect and reverence which the children usually pay to their father.—They look upon him as the sovereign lord and master of his family, and consider it as their duty to serve him upon all occasions.—In those parts of *Tartary* which have any intercourse with the great nations of *Asia*, it is also common for the father to sell his children of both sexes; and from thence the women and eunuchs, in the harems and seraglios belonging to men of wealth and distinction in those countries, are said to be frequently procured †.

Upon the coast of *Africa*, the power of the father is carried to the most excessive pitch, and exercised with the utmost severity.—It is too well known to be denied,

* Genesis, xlii. 37.

† Histoire generale des voyages, tom. 9.—Chardin. tom. 1.

that, in order to supply the European market, he often disposes of his own children for slaves; and that the chief part of a man's wealth is supposed to consist in the number of his descendants.—Upon the slave coast, the children are accustomed to throw themselves upon their knees, as often as they come into the presence of their father*.

The following account, which is given by Commodore BYRON, may serve, in some measure, to shew the spirit with which the savages of *South America* are apt to govern the members of their family.

Here, says he, I must relate a little anecdote of our christian Cacique.—He and his wife had gone off, at some distance from the shore, in their canoe, when she dived for sea-eggs; but not meeting with great success, they returned a good deal out of humour.—A little boy of theirs, about five years old, whom they appeared to be doatingly fond of, watching for his father and mother's return, ran into the surf to meet them: the father handed a basket of sea-eggs to the child, which being too heavy for him to carry, he let it fall; upon which the father jumped out of the ca-

* Histoire generale des voyages, tom. 5. liv. 10. chap. 3.

noe, and catching the boy up in his arms, dashed him with the utmost violence against the stones.—The poor little creature lay motionless and bleeding, and in that condition was taken up by the mother, but died soon after.—No one seemed to reprobate the conduct of the father.—He appeared, to the bystanders, only to exercise his right.

Such was the *power* which, in early times, appears to have been uniformly possessed by the *head of a family*.—But the progress of a people in civilization and refinement has a natural tendency to limit and restrain this primitive jurisdiction.

In those rude and simple periods, when men are chiefly employed in hunting and fishing, in pasturing cattle, or in cultivating the ground, the children are commonly brought up in the house of their father; and continuing in his family as long as he lives, they have no occasion to acquire any separate property, but depend entirely for subsistence upon that hereditary estate, of which he is the sole disposer and manager.—Their situation, however, in this as well as in many other respects, is greatly altered by the introduction of commerce and manufactures.—In a commercial coun-

try, a great part of the inhabitants are employed in such a manner as tends to disperse the members of a family, and often requires that they should live at a distance from each other.—The children, in their early youth, are obliged to leave their home, in order to be instructed in those trades and professions by which it is proposed they should earn a livelihood, and afterwards to settle in those parts of the country which they find convenient for prosecuting their several employments.—In consequence of this they are withdrawn, and in a great measure emancipated from their father's authority.—They are now in a condition to procure a maintenance without having recourse to his bounty, and by their own labour and industry are sometimes advanced to great wealth and opulence.—They live in separate families of their own, of which it is requisite they should have the entire direction; and being placed at such a distance from their father, that he has no longer an opportunity of observing and controuling their behaviour, it is to be expected that their former habits will gradually be laid aside and forgotten *.

WHEN WE EXAMINE THE LAWS AND CUSTOMS OF POLISHED NATIONS, WE ARE CONFIRM-

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ED IN THE TRUTH OF THE FOREGOING REMARKS,
AND HAVE REASON TO CONCLUDE, THAT, IN
MOST COUNTRIES, THE PATERNAL JURISDICTION
HAS BEEN REDUCED WITHIN NARROWER BOUNDS,
IN PROPORTION TO THE IMPROVEMENTS OF SO-
CIETY.

SECT.

SECT. II.

OF THE AUTHORITY OF A CHIEF OVER THE
MEMBERS OF A TRIBE OR VILLAGE ;

OR,

SECOND STAGE OF SOCIETY.

HAVING considered the primitive state of a single family of savages, we may now examine the changes which happen in their situation, after the death of the father, and the different species of authority to which they are commonly subjected.

When the members of a family become too numerous to be maintained and lodged all in the same house, some of them are under the necessity of leaving it, and providing themselves with a new habitation.—The sons, having arrived at the age of manhood, and being disposed to marry, are led by degrees to have a separate residence, where they may live in a more comfortable manner.—They build their huts very near one to another, and each of them forms a distinct family; of
which

which he assumes the direction, and which he endeavours to supply with the means of subsistence.—Thus the original society is gradually enlarged into a village or tribe; and, according as it is placed in circumstances which favour population, and render its condition prosperous and flourishing, it becomes proportionably extensive, and is subdivided into a greater multiplicity of branches.

From the situation of this early community it is natural to suppose, that an uncommon degree of attachment will subsist between all the different persons of which it is composed.—As the ordinary life of a savage renders him hardy and robust, so he is a stranger to all those considerations of utility, by which, in a polished nation, men are commonly induced to restrain their appetites, and to abstain from violating the possessions of each other.—Different clans or tribes of barbarians are therefore disposed to rob and plunder one another, as often as they have an opportunity of doing it with success; and their reciprocal inroads and hostilities are the source of continual animosities and quarrels, which are prosecuted with a degree of fury and rancour suitable to the temper and dispositions of the people.—Thus the members of every single clan are frequently at variance
with

with all their neighbours around them; and are obliged to be constantly upon their guard, in order to repel the numerous attacks to which they are exposed, and to preserve themselves from that severe and barbarous treatment, which they have reason to expect, if they should fall under the power of their enemies.—As they are divided from the rest of the world, so they are linked together by a sense of their common danger, and by a regard to their common interest.—They are united in all their pastimes and amusements, as well as in their serious occupations; and when they go out upon a military enterprize, they are no less prompted to shew their friendship for each other, than to gratify their common passions of enmity and resentment.—As they have been brought up together from their infancy, and have no intercourse with those of a different community, their affections are raised to a greater height, in proportion to the narrowness of that circle to which they are confined.—As the uniformity of their life supplies them with few occurrences, and as they have no opportunity of acquiring any great variety of knowledge, their thoughts are the more fixed upon those particular objects which have once excited their attention, they retain more steadily whatever impressions they have received

ceived, and become the more devoted to those entertainments and practices with which they have been familiarly acquainted.

Hence it is, that a savage is never, without difficulty, prevailed upon to abandon his family and friends, and to relinquish the sight of those objects to which he has been long familiar.—To be banished from them is reckoned the greatest of all misfortunes.—His cottage, his fields, the faces and conversation of his kindred and companions, incessantly recur to his memory, and prevent him from relishing any situation where these are wanting.—He clings to those well-known objects, and dwells upon all those favourite enjoyments which he has lost.—The poorer the country in which he has lived, the more wretched the manner of life to which he has been accustomed, the loss of it appears to him the more insupportable. — That very poverty and wretchedness, which contracted the sphere of his amusements, is the chief circumstance that increases his attachment to those few gratifications which it afforded, and renders him the more a slave to those particular habits which he hath acquired.—Not all the allurements of European luxury could bribe a Hottentot to resign that coarse manner of life which was become habitual to him; and we may

remark, that the “*maladie du pays*,” which has been supposed peculiar to the inhabitants of Switzerland, is more or less felt by the inhabitants of all countries, according as they approach nearer to the ages of rudeness and simplicity.

As those clans or villages, which inhabit the more uncultivated parts of the earth, are almost continually at war with their neighbours, and are obliged to be always in a posture of defence, so they have constant occasion for a *leader* to conduct them in the various military enterprizes in which they are engaged.

It may be remarked, that wherever a number of people meet together in order to execute any measures of common concern, it is convenient that *some person* should be appointed to direct their proceedings, and prevent them from running into confusion.—It is accordingly a general regulation, which appears to be uniformly adopted in all countries, that every public assembly should have a *president*, invested with such a degree of authority as is suitable to the nature of the business committed to their care.—But in no case is a regulation of this kind so necessary, as in the conduct of a military expedition.—There is no situation in which a body of men are so apt to run into disorder, as in war; where

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it is impossible that they should co-operate, and preserve the least regularity, unless they are united under a *single person*, who is impowered to direct their movements, and to superintend and controul their several operations.

As the members of a family have been usually conducted by the father in all their excursions of moment, they are naturally disposed, even when their society becomes more enlarged, to continue in that course of action to which they have been accustomed; and, after they are deprived of this *common parent*, to fall under the guidance of some *other person*, who appears next to him in rank, and possesses the greatest share of their esteem and confidence.

Superiority in strength, courage, and other personal accomplishments, is the first circumstance by which any *single person* is raised to be the *leader of a clan*, and by which he is enabled to maintain his authority.

In those rude periods, when men live by hunting and fishing, they have no opportunity of acquiring any considerable property; and there are no distinctions in the rank of individuals, but those which arise from personal qualities.

The strongest man in a village, the man who excels

in running, in wrestling, or in handling those weapons which they make use of in war, is possessed of an evident advantage in every contest that occurs, and is hereby exalted to superior dignity.—In their games and exercises he is generally victorious, and becomes more and more distinguished above all his companions.—When they go out to battle, he is placed at their head, and occupies that station which is held of the greatest importance.—His exploits and feats of activity are viewed with pleasure and admiration; and he becomes their boast and champion in every strife or contention in which they are engaged.—The more they have been accustomed to follow his banner, they contract a stronger attachment to his person, and discover more readiness to execute those measures which he thinks proper to suggest.—They imagine that his greatness reflects honour upon the society to which he belongs, and are disposed to magnify his prowess with that fond partiality which they entertain in favour of themselves.—According as he advances in reputation, he acquires more weight in their debates, and is treated upon every occasion with greater respect and deference.—As they are afraid of incurring his displeasure, so are they eager to distinguish themselves in his eye, and, by their valour and fidelity,

to procure marks of his peculiar approbation and esteem.

“ Illum defendere, tueri, sua quoque fortia facta gloriæ

“ ejus assignare, præcipuum sacramentum est.—Prin-

“ cipes pro victoria pugnant, comites pro principe *.”

Among the natives in some parts of the continent of South America, it is customary, in their military expeditions, to make choice of that person for their leader, who is superior to all his companions in *bodily strength*; and this point is usually determined according to the burden which he is able to carry †.

* Tacitus de mor. German.

† Nouveaux voyages aux Indes Orientales, tom. iii.—Upon the same principle, the captain of an expedition is frequently chosen from the number of wounds he has received in battle. Ibid. tom. i.

It has even been remarked, that all animals which live in herds or flocks are apt to fall under the authority of a single leader of superior strength or courage.—Of this a curious instance is mentioned by the author of Commodore Anson's voyage.—“ The largest sea-lion,” says he, “ was the master of the flock; and, from the number of females he kept to himself, and his driving off the males, was stiled by the seamen the bashaw.—As they are of a very lethargic disposition, and are not easily awakened, it is observed, that each herd places some of their males at a distance in the manner of sentinels, who always give the alarm whenever any attempt is made either to molest or approach them, by making a loud grunting noise like a hog, or snorting like a horse in full vigour.—The males had often furious battles with each other, chiefly about the females; and the bashaw just mentioned, who was commonly surrounded by his females, to which no other male dared to approach, had acquired that distinguished pre-eminence by many bloody contests, as was evident from the numerous scars visible in all parts of his body.”

But

But when a people have begun to make improvements in their manner of fighting, they are soon led to introduce a variety of *stratagems*, in order to deceive their enemy, and are often no less indebted to the *art* and *address* which they employ, than to the strength or courage which they have occasion to exert.—Thus, military skill and conduct are raised to higher degrees of estimation; and the experience of a NESTOR, or the cunning of an ULYSSES, being found more useful than the brutal force of an AJAX, becomes in time a greater source of influence and authority.

This, as has been formerly observed, is the foundation of that respect and reverence which, among early nations, is commonly paid to old men.—From this cause *also* it happens, that the leader of a barbarous tribe is often a person advanced in years, who, retaining still his bodily strength, has had time to acquire experience in the art of war, and to obtain a distinguished reputation by the achievements which he hath performed.

After mankind have fallen upon the expedient of taming and pasturing cattle, in order to render their situation more comfortable, there arises another source of influence and authority which was formerly unknown to them.—In their herds and flocks they frequently enjoy

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considerable wealth, which is distributed in various proportions, according to the industry or good fortune of different individuals; and those who are poor become dependent upon the rich, who are capable of relieving their necessities, and affording them subsistence.—As the pre-eminence and superior abilities of the chief are naturally exerted in the acquisition of that wealth which is then introduced, he becomes, of consequence, the richest man in the society; and his influence is rendered proportionably more extensive.—According to the estate which he has accumulated, he is exalted to a higher rank, lives in greater magnificence, and keeps a more numerous train of servants and retainers, who depend upon him for their maintenance, and are therefore obliged, in all cases, to support his power and dignity*.

The authority derived from *wealth*, as it is greater than that which arises from mere *personal accomplishments*, so it is also more stable and permanent.—Extraordinary endowments, either of mind or body, can operate only during the life of the possessor, and are seldom continued for any length of time in the same family.—But a man

* The admiration and respect derived from the possession of superior fortune, is very fully and beautifully illustrated by the eloquent and ingenious author of the "Theory of Moral Sentiments."

usually

usually transmits his fortune to his posterity, and along with it all the means of creating dependence which he enjoyed.—Thus the son, who inherits the estate of his father, is enabled to maintain an equal rank, while, at the same time, he preserves all the influence acquired by the former proprietor, augmented and handed down from one generation to another.

Hence that regard to *genealogy* and *descent* which we often meet with among those who have remained long in a pastoral state.—From the simplicity of their manners, they are not apt to squander or alienate their possessions; and the representative of an ancient family is naturally disposed to be ostentatious of a circumstance which contributes so much to increase his power and authority*.

For the same reason the dignity of the chief, which in a former period was frequently *elective*, is now suffered more commonly to pass from father to son by *hereditary succession*.—As the chief possesses the largest estate, so he represents the most powerful family in the tribe; a family from which all the rest are vain of being descend-

* All the Tartars, of whatever country or religion, have an exact knowledge of the tribe from which they are descended, and carefully preserve the remembrance of it from one generation to another.—Although the tribes are often divided into many branches, each branch is considered as belonging to the same tribe.—*Histoire generale des voyages*, tom. ix. liv. 3. chap. 3. p. 33.

ed, and the superiority of which they have been uniformly accustomed to acknowledge.—He enjoys not only that rank and consequence which is derived from his own opulence, but seems entitled to the continuance of that respect and submission which has been paid to his ancestors; and it rarely happens that any other person, though of superior abilities, is capable of supplanting him, or of diverting the course of that influence which has flowed so long in the same channel, and has become so irresistible by custom.

As the chief man, from his experience, wisdom, and wealth, is naturally engaged in protecting and securing the members of his tribe from the hostile attacks of their neighbours, so he endeavours to prevent those disorders and quarrels which may sometimes arise among themselves, and which tend to weaken and disturb the society.—When a dispute or controversy happens among those who belong to different families, he readily interposes by his good offices, in order to bring about a reconciliation between the parties; who at the same time, if they choose to avoid an open rupture, may probably be willing to terminate their difference by referring it to his judgment.—In order to render his decisions effectual, he finds it necessary, at first, to employ persuasion and

entreaty.—When such references have afterwards become more frequent, and when those persons by whom they are made become more afraid of disobliging him, he ventures to make use of *authority*; and at length, obtaining a full and complete power of enforcing his sentences, he is established as their *judge*, and invested with supreme jurisdiction in all cases, both civil and criminal.

As, in conducting the affairs of a community, various abuses in the administration are apt to be committed, and as, from the uncertainty of those rules by which the people are governed, many more may be apprehended, it is necessary that *particular statutes or laws* should be enacted, to correct or ascertain the practice for the future.—Even *this legislative power* is apt to be assumed by a *chief*, after his wealth and opulence have become very extensive, and when the members of his clan are so totally dependent upon him, with regard to their property, as to be in no condition to dispute his commands, or to refuse obedience to those ordinances which he issues at pleasure, in order to model or establish the government of the society.

From these observations we may form an idea of *that constitution of government* which is naturally introduced among

among the members of a rude tribe or village.—Each of the different families, of which it is composed, is under the jurisdiction of the *father*, and the whole community is subjected to a *chief* or *leader*, who enjoys a degree of influence and authority according to the superior abilities with which he is endowed, or the wealth which he has been enabled to acquire.

The rudest form of this government may be discovered among the *Indians of America*.—As these people subsist, for the most part, by hunting or fishing, they have no means of obtaining so much wealth as will raise any one person greatly above his companions.—They are divided into small independent villages, in each of which there is a *chief*, who is their principal leader in war.—He bears the name of that particular tribe over which he presides; and in their public meetings he is known by no other.—His authority, though greater in some villages than in others, does not appear in any of them to be very considerable.—*If he is never disobeyed, it is because he knows how to set bounds to his commands*.—Every family has a right to name an assistant to the chief; and the several heads of families compose an assembly, or “COUNCIL OF THE ELDERS,” which is accustomed to deliberate upon all matters of public importance.

THUS IT WAS, THAT, UPON THE RUINS OF THE WESTERN EMPIRE, THERE AROSE IN EVERY PROVINCE PARTICULAR CHIEFS OR BARONS, WHO LIVED IN SEPARATE DISTRICTS, INDEPENDENT OF ONE ANOTHER, AND EACH OF WHOM PROCURED A NUMBER OF VASSALS OR MILITARY TENANTS, AND BECAME GREAT AND POWERFUL IN PROPORTION TO THE ESTATE WHICH HE POSSESSED.—THIS APPEARS TO HAVE BEEN THE FIRST STEP TOWARD THE INTRODUCTION OF THAT SYSTEM OF FEUDAL GOVERNMENT, WHICH WAS AFTERWARDS ESTABLISHED AND SOON BROUGHT TO PERFECTION IN MOST OF THE COUNTRIES OF EUROPE.

SECT.

SECT. III.

THE ORIGIN OF DIFFERENT KINDS OF GOVERNMENT ;

OR,

THE MORE ADVANCED STAGE OF SOCIETY.

THE improvement of agriculture, as it increases the quantity of provisions, and renders particular clans or tribes more numerous and flourishing, so it obliges them at length to send out colonies to a distance, who occupy new seats wherever they can find a convenient situation, and are formed into separate villages, after the model of those with which they were formerly acquainted.— Thus, in proportion as a country is better cultivated, it comes to be inhabited by a greater number of distinct societies, whether derived from the same or from a different original, agreeing in their manners, and resembling each other in their government and institutions.

These different communities being frequently at war, and being exposed to continual invasions from
their

their neighbours, are in many cases determined, by the consideration of their mutual interest, to unite against their common enemies, and to form a variety of combinations, which are more or less permanent, according as they are influenced by particular circumstances.—Those people who have found the advantage of joining their forces in one expedition, are naturally disposed to continue the like association in another, and by degrees are encouraged to enter into a general defensive alliance.—The intercourse which they have maintained in *war*, is not entirely dissolved even in time of *peace*.—Though originally strangers to each other, yet, having many opportunities of assembling in their military enterprizes, they cannot fail to contract an acquaintance, which becomes the source of their future correspondence.—They have frequent opportunities of meeting in their common sports and diversions.—The leading men of different villages entertain one another with rustic hospitality and magnificence; intermarriages begin to take place between their respective families; and the various connexions of society are gradually multiplied and extended.

From a simple confederacy of this kind, an ARISTOCRATICAL GOVERNMENT is naturally established.—As

every village, or separate community, is subjected to its own leader, it is to be supposed that, in their joint measures, the several chiefs, when united together, will enjoy an influence correspondent to that which they have separately acquired over their own particular dependents; and that the frequent meeting and deliberation of those distinguished personages will at length give rise to a regular assembly, invested with power and authority to determine in all the important affairs of the society.

The same circumstances, however, which influence the members of a single clan to be guided by a particular person in their smaller expeditions, render a similar expedient yet more necessary in conducting a numerous army, composed of different clans, often disagreeing in their views, and little connected with each other.—Some ONE LEADER is therefore entrusted with the supreme command of their united forces; and the same influence, by which he was first raised to that dignity, enables him frequently to maintain it during *life*, and even in many cases to render it *hereditary*.—In this manner a GREAT CHIEF or KING is placed at the head of a nation, and claims, by degrees, the inspection and
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superintendence of various branches of the public administration.

But, notwithstanding the rank and pre-eminence enjoyed by this *primitive sovereign*, his authority at first is far from being considerable.—The chiefs, who retain all their original influence over their respective tribes, and who are jealous of a superior, are disposed to allow him no higher prerogatives than are requisite to answer the purposes for which he was created.—Though, in a day of battle, his power may extend over the whole people, yet on other occasions it is for the most part limited to his own particular clan; and though in the field his orders are not to be disputed, yet in the council public measures are determined by the majority of voices, and the king is little more than the president of the meeting.—After the conclusion of an expedition, when the different clans have retired to their separate places of abode, they are almost entirely withdrawn from his influence, and live under the protection of their several leaders, to whose jurisdiction and authority they are totally subjected.

Such are the uniform accounts which have been given by travellers concerning the government of those kingdoms,

doms, either upon the coast of *Africa*, or in the countries belonging to *Asia*, in which a number of distinct tribes or villages are but imperfectly united together*.

But the most *noted examples* of that species of government, which arises from the first union of different clans, occurs in the early history of the modern kingdoms of Europe.—It has already been observed, that when the *German nations* subdued the western empire, the land was divided among a variety of chiefs, or heads of families, who distributed a part of their estates among their dependents and retainers, over whom they exercised an almost unlimited authority.—These *barons* were altogether independent of each other, and possessed a degree of rank and power, in proportion to the number of vassals which they were able to maintain.—Their possessions, which they had obtained by lot, or occupied without opposition, were entirely at their disposal, and descended to their posterity by hereditary succession.—They acknowledged no superior but the king, to whom they were only liable in military services.

* *Histoire generale des voyages*, 4to. tom. iv. liv. 8. chap. 3. sect. 4.—*Ibid.* tom. v. liv. 9. chap. 7. sect. 7.—*Ibid.* liv. 10. chap. 2. 6.—See *Calendar's collection of voyages*, vol. i. p. 67, 68.

The *king*, or *chief*, in all measures of importance was obliged to act with the concurrence of an *assembly*, composed of the *leading men* in the country.—Such were the *ancient parliaments* of France, the *Corts* in Spain, and the *Wittenagemote* in England.—With their advice he determined what enterprizes should be undertaken ; and, according to their resolutions, every *baron* was obliged, under severe penalties, to appear in the field at the head of his vassals.—In these assemblies it was usual to divide the plunder which had been gained by the army, to make such regulations as were intended to be effectual over the whole community, and to decide, in the last resort, the lawsuits which arose between the members of different baronies.

The *Roman* and *Greek states* were originally of small extent, and the inhabitants, being collected in one city, were led in a short time to cultivate an acquaintance, and to incorporate in one society.—The *policy*, which was easily established in such a limited territory, put a stop to those divisions so prevalent among neighbouring tribes of barbarians.—The animosity of different families was no longer cherished by reciprocal acts of hostility : they were on the contrary united, on all occasions,

sions, against the common enemies of the state; and as they had every incitement to maintain an intimate correspondence with each other, the distinctions of families were soon extinguished and forgotten.—The power of the chiefs, or nobility, which depended upon the attachment of their respective clans, was therefore quickly destroyed; and the monarch, who remained at the head of the nation without a rival to counterbalance his influence, had no difficulty in extending his authority over the whole of his dominions.

The *more extensive states* of *Europe*, erected by the Gothic nations, were placed in a different situation.—The numerous inhabitants, scattered over a wide and often inaccessible country, were for a long time prevented from having much intercourse with each other, and from correcting their ancient rude and barbarous customs.—The several tribes who had entered into an alliance were not thereby induced to lay aside their former jealousies and feuds; and though sometimes united under a king in common expeditions, they were no less frequently divided by their private quarrels, and excited to follow their several barons in the commission of mutual inroads and depredations.—*Thus*

every kingdom was composed of a great variety of parts, loosely combined together, and for several centuries may be regarded as a collection of small independent societies, rather than as one great political community.—The slow advances which were afterwards made by the people towards a more complete union, appear to have been productive of that feudal subordination which has been the subject of so much investigation and controversy.

In those times of violence and disorder, when different families were so frequently at war, and lying in wait for opportunities to plunder and oppress one another, the proprietors of small estates were necessarily exposed to many hardships and calamities.—Surrounded by wealthier and more powerful neighbours, by whom they were invaded from every quarter, and held in constant terror, they could seldom indulge the hope of maintaining their possessions, or of transmitting them to their posterity.—Conscious, therefore, of their weakness, they endeavoured to provide for their future safety, by soliciting the aid of some *opulent chief*, who appeared most capable of defending them; and, in order to obtain *that protection* which he afforded to his ancient retainers or vassals, they were obliged to ren-

der themselves equally subservient to his interest, to relinquish their pretensions to independence, to acknowledge him as their leader, and to yield him that homage and fealty which belonged to a feudal superior.—The nature of these important transactions, the solemnities with which they were accompanied, and the views and motives from which they were usually concluded, are sufficiently explained from the copies or forms of those deeds which have been collected and handed down to us.—THE VASSAL promised, in a solemn manner, to the jurisdiction of the superior, to reside within his domain, and to serve him in war, whether he should be engaged in prosecuting his own quarrels, or in the common cause of the nation.—THE SUPERIOR, on the other hand, engaged to exert all his power and influence in protecting the vassal, in defending his possessions, or in avenging his death, in case he should be assassinated.

Thus, by degrees, the *feudal system* was completed in most of the countries of Europe.—The whole of a kingdom came to be united in one great fief, of which the king was the superior, or lord paramount, having, in some measure, the property of all the land within his dominions.—The great barons became his immediate vassals, and, according to the tenure by which they

they held their estates, were subject to his jurisdiction, and liable to him in services of the same nature with those which they expected from their own retainers or inferior military tenants*.

THE PROGRESS OF GOVERNMENT IN THE SEVERAL COUNTRIES OF EUROPE WAS SUCH AS MIGHT BE EXPECTED FROM THE INFLUENCE OF THOSE CHANGES WHICH I HAVE MENTIONED.—WHENEVER AN INDEPENDENT PROPRIETOR HAD RESIGNED HIS PROPERTY, AND AGREED TO HOLD HIS LAND BY A FEUDAL TENURE, HE WAS NO LONGER ENTITLED TO A VOICE IN THE NATIONAL ASSEMBLY, BUT WAS OBLIGED TO FOLLOW THE DIRECTION OF THE SUPERIOR TO WHOM HE WAS LIABLE IN HOMAGE AND FEALTY.—WE FIND, ACCORDINGLY, THAT IN FRANCE THE PUBLIC ASSEMBLY WAS AT FIRST EXTREMELY NUMEROUS, COMPREHENDING ALL THE DIFFERENT HEADS OF FAMILIES IN THE NATION.—BY DEGREES IT WAS AFTERWARDS REDUCED IN NUMBER, AND CONFINED TO PERSONS OF SUPERIOR OPULENCE AND RANK, WHO WERE CALLED TO A SEPARATE CONFERENCE WITH THE KING.—AS THE NOBLES WERE THUS ADVANCING IN WEALTH AND

* Millar.

SPLENDOR, SO THEY CONTINUED FOR SEVERAL CENTURIES TO EXTEND THEIR INFLUENCE, AND TO INCREASE THEIR POWER AND PRIVILEGES.—THE GRADUAL DECAY OF ARISTOCRACY HAS ACCORDINGLY BEEN REMARKED BY EVERY HISTORIAN WHO HAS GIVEN ANY GENERAL VIEW OF THEIR POLITICAL CONSTITUTION.

SECT.

SECT. IV.

THE THREE SPECIES OF MODERN GOVERNMENTS.

As a *series of appeals* must be *finite*, there necessarily exists in every government a *power from which the constitution has provided no appeal*; and which power, for that reason, may be termed *absolute, omnipotent, uncontrollable, arbitrary, despotic*; and is *alike so in all countries*.

The person, or assembly, in whom *this power* resides, is called the *sovereign*, or the *supreme power of state*.

Since to the same power universally appertains the office of establishing public laws, it is called also the *legislature of the state*.

A government receives its denomination from the *form of the legislature*; which *form* is likewise what we commonly mean by the *constitution* of a country.

Political writers enumerate *three principal forms* of government, which, however, are to be regarded rather

ther as the simple forms, by some combination and intermixture of which all actual governments are composed, than as any where existing in a pure and elementary state.—These forms are,

I. Despotism, or ABSOLUTE MONARCHY, where the *legislature* is in a *single person*.

II. An ARISTOCRACY, where the *legislature* is in a *select assembly*, the members of which either fill up by election the vacancies in their own body, or succeed to their places in it by inheritance, property, tenure of certain lands, or in respect of some personal right or qualification.

III. A REPUBLIC, or democracy, where the *people at large*, either *collectively* or by *representation*, constitute the *legislature*.

The *separate advantages* of MONARCHY are unity of council, activity, decision, secrecy, dispatch; the military strength and energy which result from these qualities of government; the exclusion of popular and aristocratical contentions; the preventing, by a known rule of succession, of all competition for the supreme power; and thereby repressing the hopes, intrigues, and dangerous ambition of aspiring citizens.

The *mischiefs*, or rather the dangers, of MONARCHY,

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are

are tyranny, expence, exaction, military domination; unnecessary wars waged to gratify the passions of an individual; risk of the character of the reigning prince; ignorance in the governors of the interests and accommodation of the people, and a consequent deficiency of salutary regulations; want of constancy and uniformity in the rules of government, and, proceeding from thence, insecurity of person and property.

The *separate advantage* of an ARISTOCRACY consists in the wisdom which may be expected from experience and education—a permanent council naturally possesses experience; and the members, who succeed to their places in it by inheritance, will, probably, be trained and educated with a view to the stations which they are destined by their birth to occupy.

The *mischiefs* of an ARISTOCRACY are, dissensions in the ruling orders of the state, which, from the want of a common superior, are liable to proceed to the most desperate extremities; oppression of the lower orders by the privileges of the higher, and by laws partial to the separate interests of the law makers.

The *advantages* of a REPUBLIC are, liberty, or exemption from needless restrictions; equal laws; regulations adapted to the wants and circumstances of the people;
public

public spirit, frugality, averfeness to war; the opportunities which democratic affemblies afford to men of every description, of producing their abilities and councils to public obfervation, and the exciting thereby, and calling forth to the fervice of the commonwealth, the faculties of its beft citizens.

The *evils* of a REPUBLIC are, *diffenfions, tumults, faction; the attempts of powerful citizens to poffefs themfelves of the empire; the confufion, rage, and clamour which are the inevitable confequences of affembling multitudes, and of propounding queftions of ftate to the difcuffion of the people; the delay and difclofure of public councils and defigns; and the imbecility of meafures retarded by the neceffity of obtaining the confent of numbers: laftly, the oppreffion of the provinces which are not admitted to a participation in the legislative power.*

A MIXED GOVERNMENT is compofed by the combination of two or more of the fimple forms of government above defcribed.—and, in whatever proportion each form enters into the conftitution of a government, in the fame proportion may both the *advantages* and *evils*, which we have attributed to that form, be expected; that is, thofe are the ufes to be maintained and cultivated in each part of the conftitution, and thefe are the dangers to be pro-

vided against in each.—Thus, if *secrecy* and *dispatch* be truly enumerated amongst the separate excellencies of regal government; then a mixed government, which retains monarchy in one part of its constitution, should be careful that the other estates of the empire do not, by an officious and inquisitive interference with the executive functions, which are, or ought to be, reserved to the administration of the prince, interpose delays, or divulge what it is expedient to conceal.—On the other hand, if *profusion*, *exaction*, *military domination*, and *needless wars*, be justly accounted natural properties of monarchy, in its simple unqualified form; then are these the objects to which, in a mixed government, the aristocratic and popular parts of the constitution ought to direct their vigilance; the dangers against which they should raise and fortify their barriers: these are departments of sovereignty, over which a power of inspection and control ought to be deposited with the people.

The same observation may be repeated of all the other advantages and inconveniencies which have been ascribed to the several simple forms of government; and affords a rule whereby to direct the construction, improvement, and administration of mixed governments, subjected however to this remark, that a quality sometimes

results

results from the conjunction of two simple forms of government, which belongs not to the separate existence of either: thus corruption, which has no place in an absolute monarchy, and little in a pure republic, is sure to gain admission into a constitution, which divides the supreme power between an executive magistrate and a popular council.

An *hereditary* MONARCHY is universally to be preferred to an *elective* monarchy.—The confession of every writer upon the subject of civil government, the experience of ages, the example of Poland, and of the papal dominions, seem to place this amongst the few indubitable maxims which the science of politics admits of.—*A crown is too splendid a prize to be conferred upon merit.*—The passions or interests of the electors exclude all consideration of the *qualities* of the competitors.—The same observation holds concerning the appointment to any office which is attended with a great share of power or emolument.—*Nothing is gained by a popular choice worth the dissensions, tumults, and interruption of regular industry, with which it is inseparably attended.*—Add to this, that a king, who owes his elevation to the event of a contest, or to any other cause than a fixed rule of succession, will be apt to regard one part of his subjects as the associates of

of his fortune, and the other as conquered foes.—Nor should it be forgotten, amongst the *advantages* of an *hereditary* monarchy, that as plans of national improvement and reform are seldom brought to maturity by the exertions of a single reign, a nation cannot attain to the degree of happiness and prosperity to which it is capable of being carried, unless an uniformity of councils, a consistency of public measures and designs, be continued through a succession of ages.—This benefit may be expected with greater probability, where the supreme power descends in the same race, and where each prince succeeds, in some sort, to the aim, pursuits, and disposition of his ancestor, than if the crown, at every change, devolve upon a stranger; whose first care will commonly be to pull down what his predecessor had built up; and to substitute systems of administration, which must, in their turn, give way to the more favourite novelties of the next successor.

ARISTOCRACIES are of *two* kinds, *first*, where the power of the nobility belongs to them in their collective capacity alone; that is, where although the government reside in an assembly of the order, yet the members of that assembly separately and individually possess no authority or privilege beyond the rest of the community:

nity:—this describes the constitution of VENICE.—*Secondly*, where the nobles are severally invested with great personal power and immunities, and where the power of the senate is little more than the aggregated power of the individuals who compose it:—this is the constitution of POLAND.—Of these *two forms* of government, the *first* is *more tolerable* than the *last*; for although the members of a senate should many, or even all of them, be profligate enough to abuse the authority of their stations in the prosecution of private designs, yet, not being all under a temptation to the same injustice, not having all the same end to gain, it would still be difficult to obtain the consent of a majority, to any specific act of oppression, which the iniquity of an individual might prompt him to propose: or if the will were the same, the power is more confined; one tyrant, whether the tyranny reside in a single person, or a senate, cannot exercise oppression at so many places at the same time, as it may be carried on by the dominion of a numerous nobility over their respective vassals and dependents.—Of all species of domination this is the most odious: the freedom and satisfaction of private life are more constrained and harassed by it, than by the most vexatious laws, or even by the lawless will of an arbitrary monarch;

monarch; from whose knowledge, and from whose injustice, the greatest part of his subjects are removed by their distance, or concealed by their obscurity.

Europe exhibits more than one modern example where the people, aggrieved by the exactions, or provoked by the enormities, of their immediate superiors, have joined with the reigning prince in the overthrow of the aristocracy, deliberately exchanging their condition for the miseries of despotism.—About the middle of the last century, the commons of DENMARK, weary of the oppressions which they had long suffered from the nobles, and exasperated by some recent insults, presented themselves at the foot of the throne, with a formal offer of their consent to established unlimited dominion in the king.—The revolution in SWEDEN, still more lately brought about with the acquiescence, not to say the assistance, of the people, owed its success to the same cause, namely, to the prospect of deliverance, that it afforded, from the tyranny which their nobles exercised under the old constitution.—In ENGLAND the people beheld the depression of the barons, under the house of Tudor, with satisfaction, although they saw the crown acquiring thereby a power, which no limitations, that the constitution had then provided, were likely to confine.—The lesson

to

to be drawn from such events is this, that a mixed government, which admits a patrician order into its constitution, ought to circumscribe the personal privileges of the nobility, especially claims of hereditary jurisdiction and local authority, with a jealousy equal to the solicitude with which it provides for its own preservation.—For nothing so alienates the minds of the people from the government under which they live, as a perpetual sense of annoyance and inconveniency; or so prepares them for the practices of an enterprising prince, or a factious demagogue, as the abuse which almost always accompanies the existence of separate immunities.

Amongst the *inferior*, but by *no means inconsiderable*, advantages of a DEMOCRATIC CONSTITUTION, or of a constitution in which the people partake of the power of legislation, the following should not be neglected.

I. *The direction which it gives to the education, studies, and pursuits of the superior orders of the community.*—The share which this has in forming the *public manners* and *national character* is very important.—In countries, in which the gentry are excluded from all concern in the government, scarce any thing is left which leads to advancement, but the profession of arms.—They who do not addict themselves to this profession

(and miserable must that country be, which constantly employs the military service of a great proportion of any order of its subjects) are commonly lost by the mere want of object and destination; that is, they either fall, without reserve, into the most sottish habits of animal gratification, or entirely devote themselves to the attainment of those futile arts and decorations, which compose the business and recommendation of a court: *on the other hand*, where the whole, or any effective portion of civil power is possessed by a popular assembly, more serious pursuits will be encouraged, purer morals, and a more intellectual character, will engage the public esteem; those faculties, which qualify men for deliberation and debate, and which are the fruit of sober habits, of early and long continued application, will be roused and animated by the reward, which, of all others, most readily awakens the ambition of the human mind, political dignity and importance.

II. *Popular elections procure to the common people courtesy from their superiors.*—That contemptuous and overbearing insolence, with which the lower orders of the community are wont to be treated by the higher, is greatly mitigated where the *people have something to give*.—The assiduity, with which their favour is sought upon these

these occasions, serves to generate settled habits of confidence and respect; and as human life is more embittered by *affronts* than injuries, whatever contributes to procure mildness and civility of manners towards those who are most liable to suffer from a contrary behaviour, corrects, with the pride, in a great measure the evil of inequality, and deserves to be accounted amongst the most generous institutions of social life.

III. *The satisfaction which the people in free governments derive from the knowledge and agitation of political subjects; such as the proceedings and debates of the senate; the conduct and character of ministers; the revolutions, intrigues, and contentions of parties; and, in general, from the discussion of public measures, questions, and occurrences.*—Subjects of this sort excite just enough of interest and emotion, to afford a moderate engagement to the thoughts, without rising to any painful degree of anxiety, or ever leaving a fixed oppression upon the spirits: and what is this, but the end and aim of all those amusements, which compose so much of the business of life and the value of riches?—*For my part, and I believe it to be the case with most men, who are arrived at the middle age, and occupy the middle classes of life; had I all the money, which I pay in taxes to government, at li-*

erty to lay out upon amusement and diversion, I know not whether I could make choice of any, in which I should find greater pleasure, than what I receive from expecting, hearing, and relating public news; reading parliamentary debates, and proceedings; canvassing the political arguments, projects, predictions, and intelligence, which are conveyed, by various channels, to every corner of the kingdom.—These topics, exciting universal curiosity, and being such as almost every man is ready to form, and prepared to deliver their opinion about, greatly promote, and, I think, improve conversation.—They render it more rational and more innocent.—They supply a substitute for drinking, gaming, scandal, and obscenity.—Now the secrecy, the jealousy, the solitude, and precipitation of despotic governments, exclude all this.—But the loss, you say, is trifling.—I know that it is possible to render even the mention of it ridiculous, by representing it as the idle employment of the most insignificant part of the nation, the folly of village-statesmen, and coffee-house politicians; but I allow nothing to be a trifle, which ministers to the harmless gratification of multitudes; nor any order of men to be insignificant, whose number bears a respectable proportion to the sum of the whole community^a.

^a Paley.

THE PRINCIPLE
OF THE
DIFFERENT FORMS OF GOVERNMENT.

S E C T. V.

PUBLIC VIRTUE THE SUPPORT OF A DEMOCRACY,

There is no great share of probity necessary to support a MONARCHICAL or DESPOTIC GOVERNMENT.—The force of laws in the *one*, and the prince's arm in the *other*, are sufficient to direct and maintain the whole.—But in a POPULAR STATE, one spring more is necessary, namely, VIRTUE.

What I have here advanced is confirmed by the unanimous testimony of historians, and is extremely agreeable to the *nature of things*.—For it is clear, that in a MONARCHY, where *he* who commands the execution of the laws, generally thinks himself above them, there is less need of virtue than in a POPULAR GOVERNMENT, where the person entrusted with the execution of the laws, is sensible of his being subject to their direction.

Clear

Clear it is, also, that a MONARCH, who through *bad advice* or *indolence* ceases to enforce the execution of the laws, may easily repair the evil; he has only to follow *other advice*; or to shake off this *indolence*.—But when, in a POPULAR GOVERNMENT, there is a *suspension* of the laws, as this can proceed *only from the corruption of the republic*, the *state* is certainly *undone*.

A very curious sight it was in the last century to behold the *impotent efforts* of the *English* towards the establishment of *democracy*.—As they who had a share in the direction of public affairs were *devoid of virtue*; as their ambition was inflamed by the success of the most daring of their members^a; as the prevailing parties were successively animated by the spirit of faction, *the government was continually changing*; the people, amazed at so many revolutions, in vain attempted to erect a commonwealth.—AT LENGTH, WHEN THE COUNTRY HAD UNDERGONE THE MOST VIOLENT SHOCKS, THEY WERE OBLIGED TO HAVE RECOURSE TO THE VERY GOVERNMENT WHICH THEY HAD SO WANTONLY PROSCRIBED.

When Sylla thought of restoring *Rome* to her liberty, this *unhappy city* was incapable of that blessing.—She had

^a Cromwell.

only the *feeble remains of virtue*, which were continually *diminishing*: instead of being *roused out of her lethargy* by Cæsar, Tiberius, Caius, Claudius, Nero, Domitian, she riveted every day her chains; if *she struck some blows*, her aim was at the tyrant, but not at the usurpation.

WHEN VIRTUE IS BANISHED, AMBITION INVADES THE MINDS OF THOSE WHO ARE DISPOSED TO RECEIVE IT, AND AVARICE POSSESSES THE WHOLE COMMUNITY.—THE OBJECTS OF THEIR DESIRES ARE CHANGED; WHAT THEY WERE FOND OF BEFORE, IS BECOME INDIFFERENT; THEY WERE FREE, WHILE UNDER THE RESTRAINT OF LAWS, BUT THEY WOULD FAIN NOW BE FREE TO ACT AGAINST LAW; AND AS EACH CITIZEN IS LIKE A SLAVE WHO HAS RUN AWAY FROM HIS MASTER, WHAT WAS A MAXIM OF EQUITY, HE CALLS RIGOUR; WHAT WAS A RULE OF ACTION, HE STILES CONSTRAINT; AND TO PRECAUTION HE GIVES THE NAME OF FEAR.—FRUGALITY, AND NOT THE THIRST OF GAIN, NOW PASSES FOR AVARICE.—FORMERLY THE WEALTH OF INDIVIDUALS CONSTITUTED THE PUBLIC TREASURE; BUT NOW THIS IS BECOME THE PATRIMONY OF PRIVATE PERSONS.—THE MEMBERS OF THE COMMONWEALTH RIOT ON THE PUBLIC SPOILS,

SPOILS, AND ITS STRENGTH IS ONLY THE POWER OF A FEW, AND THE LICENTIOUSNESS OF MANY.

ATHENS was possessed of the *same number of forces*, when she *triumphed so gloriously*, and when with so much *infamy* she was *enslaved*.—She had *twenty thousand citizens*^a, when *she defended the Greeks* against the PERSIANS, when *she contended for empire* with SPARTA, and invaded SICILY.—She had *twenty thousand* when DEMETRIUS PHALEREUS *numbered them*^b, as slaves are told by the head in a market place.—When PHILIP attempted to *lord it over Greece*, and appeared at the *gates of Athens*^c, she had even then *lost nothing but time*.—We may see in *Demosthenes* how difficult it was to *awaken her*: she *dreaded Philip*, not as the *enemy of her liberty*, but of her *pleasures*^d.—This FAMOUS CITY, which had withstood so many defeats, and after having been so often destroyed, had as often risen out of her ashes, was *overthrown* at CHERONEA, and at *one blow* deprived of *all hopes of resource*.—What does it avail her, that Philip sends back *her prisoners*, if he does not return her *men*?—It was *ever*

^a Plutarch, Life of Pericles, Plato in Critia.

^b She had at that time twenty-one thousand citizens, ten thousand strangers, and four hundred thousand slaves. See Athenæus, Book 6.

^c She had then twenty thousand citizens. See Demosthenes in Aristog.

^d They had passed a law, which rendered it a capital crime for any one to propose applying the money designed for the theatres to military service.

after

after as easy to triumph over the Athenian forces, as it had been difficult to subdue her virtue.

How was it possible for Carthage to maintain her ground?

When HANNIBAL, upon his being made *Prætor*, endeavoured to hinder the *magistrates* from plundering the republic, did not *they complain of him to the ROMANS?*—*Wretches*, who would fain be *citizens without a city*, and beholden for their riches to their very destroyers!—ROME soon insisted upon having three hundred of their principal citizens as hostages; she obliged them next to surrender their arms and ships, and then she declared war^a.—From the desperate efforts of this defenceless city, one may judge of what she might have performed in her full vigour, and assisted by virtue^b.

^a This lasted three years.

^b Montesquieu.

S E C T. VI.

PUBLIC VIRTUE IS IN A LESS DEGREE ESSENTIAL TO AN ARISTOCRACY.

As *virtue* is *necessary* in a POPULAR GOVERNMENT, it is requisite also under an ARISTOCRACY.—True it is, that in the *latter* is not so *absolutely requisite*.

The *people*, who in respect to the *nobility* are the same as the subjects with regard to a monarch, are *restrained by their laws*.—They have, therefore, less occasion for *virtue* than the *people* in a democracy.—But *how are the nobility to be restrained?*—They who are to execute the laws against their colleagues, will immediately perceive they are acting against *themselves*.—VIRTUE is therefore necessary in this body, from the very nature of the constitution.

AN ARISTOCRATICAL GOVERNMENT has an inherent vigour, unknown to democracy.—The *nobles* form a body, who by their prerogative, and for their own particular interest, *restrain the people*; it is sufficient, that there are laws in being to have them executed.

But

But easy as it may be for the body of the nobles to restrain the people, restraints will with difficulty reach the legislative body.—*Such is the nature of the constitution, that it seems to subject the very same persons to the power of the laws, and at the same time to exempt them.*—Public crimes^a may indeed be punished, because it is here a common concern; but private crimes will go unpunished, because it is the common interest not to punish them.

Now such a body as this will restrain itself only two ways; either by a very eminent virtue, which puts the nobility in some measure on a level with the people, or by an inferior virtue, which puts them at least upon a level with one another, and on this their preservation depends.

Moderation is therefore the very soul of this government; a moderation I mean founded on virtue, not that which proceeds from indolence and pusillanimity^b.

^a Though all crimes be in their own nature public, yet there is a distinction between crimes really public, and those that are private, which are so called, because they are more injurious to individuals than to the community.

^b Montesquieu.

S E C T. VII.

HONOUR THE STAY OF MONARCHY.

A MONARCHICAL GOVERNMENT supposeth, as we have already observed, pre-eminences and ranks, as likewise a noble descent.—Now since it is *the nature of honour* to aspire to preferments and titles, it is properly placed in this government.

Ambition is pernicious in a republic.—But in a monarchy it has some good effects; it gives life to the government, and is attended with this advantage, that it is no way dangerous, because it will be continually checked.

It is with this kind of government as with the system of the universe, in which there is a power that constantly repels all bodies from the center, and a power of gravitation that attracts them to it.—HONOUR *sets all the parts of the body politic in motion, and by its very action connects them; thus each individual advances the public good, while he only thinks of promoting his own interest.*

True

True it is, that, *philosophically speaking*, it is a *false honour* which moves all the parts of this government; but even this *false honour* is as useful to the public as true honour could possibly be to private people.

Is it not a very great point to oblige men to perform the most difficult actions, such as require an extraordinary exertion of fortitude and resolution, without any other recompence, than that of GLORY and APPLAUSE?

VIRTUE IS NOT ESSENTIAL TO A MONARCHICAL
GOVERNMENT.

IN MONARCHIES policy effects great things with as little virtue as possible.—Thus in the nicest machines art has reduced the number of movements, springs, and wheels.

The state subsists independent of the love of our country, of the thirst of true glory, of self-denial, of the sacrifice of our dearest interests, and of all those heroic virtues which we admire in the ancients, and to us are known only by story.

The laws supply here the place of those virtues; they
are

are by no means wanted, and the state dispenses with them.

I beg that no one will be offended with what I am going to say; my observations are founded on the unanimous testimony of historians.—I am not ignorant *that a virtuous prince is no such very rare instance*; but I venture to affirm, *that in a monarchy it is extremely difficult for the people to be virtuous*^a.

LET US COMPARE WHAT THE HISTORIANS OF ALL AGES HAVE ASSERTED CONCERNING THE COURTS OF MONARCHS; LET US RECOLLECT THE CONVERSATIONS AND SENTIMENTS OF PEOPLE OF ALL COUNTRIES IN RESPECT TO THE WRETCHED CHARACTER OF COURTIER; AND WE SHALL FIND THAT THESE ARE NOT AIRY SPECULATIONS, BUT TRUTHS CONFIRMED BY A SAD AND MELANCHOLY EXPERIENCE.

AMBITION IN IDLENESS; MEANNESS MIXED WITH PRIDE; A DESIRE OF RICHES WITHOUT INDUSTRY; AVERSION TO TRUTH; FLATTERY, PERFIDY, VIOLATION OF ENGAGEMENTS, CONTEMPT OF ALL CIVIL DUTIES, FEAR OF THE PRINCE'S VIRTUE, HOPE FROM HIS WEAKNESS, BUT, ABOVE ALL, A PERPETUAL

^a I speak here of political virtue, which is also moral virtue as it is directed to the public good.

RIDICULE CAST UPON VIRTUE, ARE, I THINK, THE CHARACTERISTICS BY WHICH MOST COURTIER'S IN ALL AGES AND COUNTRIES HAVE BEEN CONSTANTLY DISTINGUISHED.—NOW IT IS EXCEEDING DIFFICULT FOR THE LEADING MEN OF THE NATION TO BE KNAVES, AND THE INFERIOR SORT TO BE HONEST; FOR THE FORMER TO BE CHEATS, AND THE LATTER TO REST SATISFIED WITH BEING ONLY DUPES.

But if there should chance to be some unlucky *honest man*^a among the people, CARDINAL RICHELIEU, in his political testament, seems to hint, that a prince should take care not to employ him^b.—So true is it, that *virtue* is not the *spring* of *this government*!—It is not indeed *excluded*, but it is not *the spring* of government.

But it is high time for me to have done with this subject, lest I should be suspected of writing a satire against *monarchical government*.—Far be it from me; if *monarchy* wants *one spring*, it is provided with *another*.—HONOUR, that is, the prejudice of every person and rank, supplieth the place of the *political virtue*, of which I have been speaking, and is every where her *repre-*

^a This is to be understood in the sense of the preceding note.

^b We must not, says he, employ such men; they are too rigid and morose.

sentative: here it is capable of inspiring the most glorious actions, and, joined with the force of laws, may lead us to the end of government as well as virtue itself.

Hence, in well regulated monarchies, we find often good subjects, and very few good men; for to be a good man^a, a good intention is necessary, and we should love our country not so much on our own account, as out of regard to the community^b.

^a This word good man is understood here in a political sense only.

^b Montesquieu.

 S E C T. VIII.

FEAR IS THE PRINCIPLE OF A DESPOTIC STATE.

As *virtue* is necessary in a REPUBLIC, and in a MONARCHY *honour*, so *fear* is necessary in a DESPOTIC GOVERNMENT.—With regard to *virtue*, there is *no occasion* for it, and *honour* would be *extremely dangerous*.

Here the immense power of the prince is devolved entirely upon those whom he is pleased to intrust with the administration.—*Persons capable of setting a value upon themselves, would be likely to create disturbances.*—*Fear* must therefore *depress their spirits*, and *extinguish even the least sense of ambition*.

A MODERATE GOVERNMENT may, whenever it pleases, and without the least danger, *relax its springs*.—It supports itself by the *laws*, and by its own *internal strength*.—But when a *despotic prince ceases one single moment to lift up his arm*, when he cannot instantly demolish those whom he has entrusted with the first employments^a,

^a As it often happens in a military aristocracy.

all is over: for as fear, the spring of this government, no longer subsists, the people are left without a restraint.

IT IS NECESSARY THAT THE PEOPLE SHOULD BE JUDGED BY LAWS, AND THE GREAT MEN BY THE CAPRICE OF THE PRINCE; THAT THE LIVES OF THE LOWEST SUBJECT SHOULD BE SAFE, AND THE BASHAW'S HEAD EVER IN DANGER.—*We cannot mention these monstrous governments without horror.*—The Sophi of Persia, dethroned in our days by Mahomet, the son of Miriveis, saw the constitution subverted before this revolution, because he had been too sparing of blood^a.

History informs us, that the horrid cruelties of Domitian struck such a terror into the governors, that the people were safe under his reign.—Thus a torrent overflows one side of a country, and on the other leaves fields untouched, where the eye is refreshed by the prospect of fine meadows.

^a See the history of this revolution by Father Ducerceau.

HONOUR IS NOT THE PRINCIPLE OF A DESPOTIC
GOVERNMENT.

Honour is far from being the principle of a despotic government: mankind being here all upon a level, no one person can prefer himself to another; and as they are all slaves, there can be no sort of preference.

Besides, as honour has its laws and rules; as it knows not how to submit; as it depends in a great measure on a man's own caprice, and not on that of another person; it can be found only in countries in which the constitution is fixed, and where they are governed by settled laws.

How can *despotism* bear with *honour*?—*This glories in the contempt of life; and that is founded in the power of taking it away.*—How can *honour*, on the other hand, bear with *despotism*?—The former has its *fixed rules*, and *peculiar caprices*; but the latter is directed by *no rule*, and its own *caprices are subversive of all others.*

Hence, *Honour*, though it is the prevailing principle in monarchies, and gives life to the whole body politic, to the laws, and even to the virtues themselves, must be a thing unknown in arbitrary governments, some of which have not even a proper word to express it^a.

^a See Perry, p. 47.

THE CORRUPTION
OF THE
PRINCIPLES OF THE THREE GOVERNMENTS.

S E C T. IX.

OF THE CORRUPTION OF THE PRINCIPLES OF
DEMOCRACY.

THE PRINCIPLE of DEMOCRACY is *corrupted* not only when the *spirit of equality* is *extinct*, but *likewise* when men fall into a *spirit of extreme equality*, and when *each citizen* would fain be upon a *level* with *those* whom he has *chosen to command him*.—THEN THE PEOPLE, INCAPABLE OF BEARING THE VERY POWER THEY HAVE DELEGATED, WANT TO MANAGE EVERY THING THEMSELVES, TO DEBATE FOR THE SENATE, TO EXECUTE FOR THE MAGISTRATE, AND TO DECIDE FOR THE JUDGES.

When this is the case, VIRTUE can no longer *subsist* in the republic.—THE POPULACE ARE DESIROUS OF EXERCISING THE FUNCTIONS OF THE MAGISTRATES; WHO CEASE TO BE REVERED.—THE DELIBERATIONS OF THE SENATE ARE SLIGHTED; ALL RESPECT IS THEN
LAID

LAI D ASIDE FOR THE SENATORS, AND CONSEQUENTLY FOR OLD AGE.—IF THERE IS NO MORE RESPECT FOR OLD AGE, THERE WILL BE NONE PRESENTLY FOR PARENTS; DEFERENCE TO HUSBANDS WILL BE LIKEWISE THROWN OFF, AND SUBMISSION TO MASTERS.—THIS LICENTIOUSNESS WILL SOON BECOME GENERAL; AND THE TROUBLE OF COMMAND BE AS FATIGUING AS THAT OF OBEDIENCE.—WIVES, CHILDREN, SERVANTS, WILL SHAKE OF ALL SUBJECTION.—NO LONGER WILL THERE BE ANY SUCH THINGS AS MANNERS, ORDER, OR VIRTUE.

We find in *Xenophon's Banquet* a very lively description of a REPUBLIC in which the *people* abused their *equality*.—Each guest gives in his turn the reason why he is satisfied.—“ *Content I am,*” says Chamides, “ *because of my poverty.*—WHEN I WAS RICH, I was “ *obliged to pay my court to informers, knowing I was “ more liable to be hurt by them, than capable of doing “ them harm.*—The republic constantly demanded some “ *new tax of me; and I could not decline paying.*—SINCE “ *I AM GROWN POOR, I have acquired authority; no- “ body threatens me; I rather threaten others.*—I can go “ *or stay where I please.*—The rich already rise from their “ *seats and give me the way.*—I am a king, I was before a “ *slave:*

*“ slave : I paid taxes to the republic, now it maintains
 “ me : I am no longer afraid of losing ; but I hope to ac-
 “ quire.”*

THE PEOPLE FALL INTO THIS MISFORTUNE, WHEN THOSE IN WHOM THEY CONFIDE, DESIROUS OF CONCEALING THEIR OWN CORRUPTION, ENDEAVOUR TO CORRUPT THEM.—TO DISGUISE THEIR OWN AMBITION, THEY SPEAK TO THEM ONLY OF THE GRANDEUR OF THE STATE ; TO CONCEAL THEIR OWN AVARICE, THEY INCESSANTLY FLATTER THEIRS.

The corruption will increase among the corrupters, and likewise among those who are already corrupted — The people will divide the public money among themselves, and having added the administration of affairs to their indolence, will be for blending their poverty with the amusements of luxury.—But with their indolence and luxury, nothing but the public treasure will be able to satisfy their demands.

We must not be surpris'd to see their suffrages given for money.—It is impossible to make great largesses to the people without great extortion : and to compass this, the state must be subverted.—The greater the advantages they seem to derive from their liberty, the nearer they approach towards the critical moment of losing it.

—*Petty tyrants arise, who have all the vices of a single tyrant. — The small remains of liberty soon become unsupportable; a single tyrant starts up, and the people are stripped of every thing, even of the profits of their corruption.*

◦ DEMOCRACY hath therefore *two excesses to avoid*, the *spirit of inequality*, which leads to aristocracy or monarchy; and the *spirit of extreme equality*, which leads to despotic power.

◦ *True it is, that those who corrupted the GREEK REPUBLICS did not always become tyrants. — This was because they had a greater passion for eloquence than for the military art. — Besides there reigned an implacable hatred in the breasts of the Greeks against those who subverted a republican government; and for this reason anarchy degenerated into annihilation, instead of being changed into tyranny.*

But SYRACUSE, being situated in the midst of a great number of petty states, whose government had been changed from oligarchy to tyranny; and being governed by a senate^a scarce ever mentioned in history, underwent such miseries as are the consequence of a more than ordinary corruption. — *This city, ever a prey to li-*

^a It was that of the six hundred, of whom mention is made by Diodorus.

centiousness or oppression, equally labouring under the sudden and alternate suecession of liberty and servitude, and notwithstanding her external strength, constantly determined to a revolution by the least foreign power : THIS CITY, I SAY, HAD IN HER BOSOM AN IMMENSE MULTITUDE OF PEOPLE, WHOSE FATE IT WAS TO HAVE ALWAYS THIS CRUEL ALTERNATIVE, EITHER OF CHOOSING A TYRANT TO GOVERN THEM, OR OF ACTING THE TYRANT THEMSELVES.

GREAT *success*s, especially when chiefly owing to the people, intoxicates them to such a degree that it is impossible to contain them within bounds.—JEALOUS OF THEIR MAGISTRATES, THEY SOON BECAME JEALOUS LIKEWISE OF THE MAGISTRACY; ENEMIES TO THOSE WHO GOVERN, THEY SOON PROVE ENEMIES ALSO TO THE CONSTITUTION.—Thus it was that the victory over the Persians in the Straits of Salamis corrupted the republic of Athens; and thus the defeat of the Athenians ruined the republic of Syracuse.

S E C T. X.

OF THE CORRUPTION OF THE PRINCIPLE OF AN ARISTOCRACY.

An ARISTOCRACY is corrupted if the power of the nobles become arbitrary: when this is the case, there can no longer be any public virtue either in the governors or the governed.

If the reigning families *observe the laws*, it is a monarchy with several monarchs, and in *its own nature* one of the *most excellent*; for almost all these monarchs are tied down by the laws.—*But when they do not observe them, it is a despotic state swayed by a great many despotic princes.*

The *extremity of corruption* is when the power of the nobles becomes *hereditary*; for *then* they can hardly have any *moderation*.—If they are only a *few*, their power is *greater*, but their *security less*; if they are a *larger number*, their power is *less*, and their *security greater*: inso-much that *power goes on increasing*, and *security diminishing*,

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nishing, up to the very despotie prince who is encircled with excess of power and danger.

The great number therefore of nobles in an hereditary aristocracy renders the government *less violent*: but as there is *less virtue*, they fall into a spirit of supineness and negligence, by which the state loses all its strength and activity.

AN ARISTOCRACY may maintain the full vigour of its constitution, if the laws be such as are apt to render the nobles more sensible of the *perils* and *fatigues*, than of the *pleasure of command*: and if the government be in such a situation as to have *something to dread*, while *security* shelters under its protection, and *uncertainty* threatens from abroad.

As a *certain kind of confidence* forms the glory and stability of *monarchies*, republics on the contrary must have something to apprehend^a.—A fear of the PERSIANS supported the laws of GREECE.—CARTHAGE and ROME were alarmed and strengthened by each other.—Strange, that the greater security those states enjoyed, the more, like stagnated waters, they were subject to corruption! ^b

^a Justin attributes the extinction of Athenian virtue to the death of Epaminandos. Having no farther emulation, they spent their revenues in feasts, *frequentius cœnam, quam castra visentes*. Then it was that the Macedonians emerged from obscurity, l. 6.

^b Montesquieu.

S E C T. XI.

OF THE CORRUPTION OF THE PRINCIPLE OF
A MONARCHY.

AS DEMOCRACIES are subverted when the people despoil the senate, the magistrates, and judges, of their functions; so MONARCHIES are corrupted when the prince insensibly deprives societies or cities of their privileges.—In the former case the multitude usurp the power, in the latter it is usurped by a single person.

“ *The destruction of the Dynasties of Tsin and Souï,*” says a Chinese author, “ *was owing to this; the princes; instead of confining themselves like their ancestors, to a general inspection, the only one worthy of a sovereign, wanted to govern every thing IMMEDIATELY BY THEMSELVES.*”

The Chinese author gives us in this instance, the cause of the corruption of almost all monarchies.

MONARCHY is destroyed, when a prince thinks he shews a greater exertion of power in *changing* than in *conforming* to the order of things; when he deprives some

of his subjects of their *hereditary employments* to bestow them arbitrarily upon *others*; and when he is fonder of being guided by *fancy* than *judgment*.

Again, it is *destroyed* when the prince, directing every thing entirely to HIMSELF, *calls the state to his capital, the capital to his court, and the court to his own person*.

It is *destroyed*, in fine, when the prince *mistakes* his authority, his *situation*, and the *love of his people*; and when he is not fully persuaded that a *monarch* ought to think himself *secure*, as a *despotic prince* ought to think himself in *danger*.

The principle of monarchy is corrupted, when the *first dignities* are marks of the *first servitude*, when the *great men* are deprived of *public respect*, and rendered the *low tools* of arbitrary power.

It is still more corrupted, when *honor* is set up in contradiction to *honors*, and when men are capable of being loaded at the very same time with *infamy*^a and with *dignities*.

^a Under the reign of Tiberius statues were erected to, and triumphal ornaments conferred on, informers; which debased these honours to such a degree, that those who had really merited them disdained to accept of them.—See in Tacitus in what manner *Nero*, on the discovery and punishment of a pretended conspiracy, bestowed triumphal ornaments on Petronius Terpilianus, Nerva, and Tigellinus.—*Annal. book 14*.—See likewise how the generals refused to serve, because they contemned the military honors, *pervulgatis triumphis insignibus*, Tacit. *Annal. book 13*.

It is *corrupted* when the prince changes his *justice* into *severity*; when he puts, like the Roman emperors, a *Medusa's head on his breast*; and when he assumes *that menacing and terrible air* which Commodus ordered to be given to his statues.

Again, IT IS CORRUPTED WHEN MEAN AND ABJECT SOULS GROW VAIN OF THE POMP ATTENDING THEIR SERVITUDE; AND IMAGINE THAT THE MOTIVE WHICH INDUCES THEM TO BE ENTIRELY DEVOTED TO THEIR PRINCE EXEMPTS THEM FROM ALL DUTY TO THEIR COUNTRY^a.

^a Montesquieu.

 S E C T. XII.

 OF THE CORRUPTION OF THE PRINCIPLE OF
 A DESPOTIC GOVERNMENT.

The *principle* of A DESPOTIC GOVERNMENT is subject to a *continual corruption*, because it is even in its *nature corrupt*.—Other governments are destroyed by *particular accidents*, which do violence to the *principles* of each *constitution*; this is ruined by its own *intrinsic imperfections*.—It maintains itself therefore only when *circumstances* drawn from the *climate*, *religion*, *situation*, or *genius* of the *peuple*, oblige it to conform to order, and to admit of *some rule*.—By these things its *nature* is forced without being *changed*; its *ferocity* remains; and it is made *tame* and *tractable* only for an *interval*^a.

^a Montesquieu.

THE DISTINCTIVE PROPERTIES
OF THE
THREE GOVERNMENTS.

S E C T. XIII.

THE DISTINCTIVE PROPERTIES OF A REPUBLIC.

It is natural for a REPUBLIC to have only a SMALL TERRITORY; otherwise it cannot *long subsist*.—In an *extensive republic* there are *men of large fortunes*, and consequently of *less moderation*; there are *trusts too considerable to be placed in any single subject*; he has *interests of his own*; he soon begins to think that he may be happy and glorious, by *oppressing his fellow citizens*; and that he may raise himself to *grandeur on the ruins of his country*.

In an EXTENSIVE REPUBLIC the public good is *sacrificed to a thousand private views*; it is *subordinate to exceptions*, and *depends on accidents*.—In a SMALL ONE, the interest of the public is more obvious, better understood, and more within the reach of every citizen; abuses have less extent, and of course are less protected.

The long duration of the republic of SPARTA was
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owing to her having continued in the *same extent* of territory after all her wars.—The *sole aim* of Sparta was liberty; and the *sole advantage* of her liberty, glory.

It was the *spirit* of the Greek republics to be as *contented* with their territories, as with their laws.—ATHENS was *first fired with ambition* and gave it to LACEDÆMON; but it was an *ambition* rather of *commanding a free people*, than of *governing slaves*; rather of *directing* than of *breaking the union*.—All was lost upon the starting up of a monarchy, a government whose spirit is more turned to *increase of dominion*^a.

^a Montesquieu.

S E C T. XIV.

THE NATURAL LIMITS OF A MONARCHY.

A MONARCHICAL STATE ought to be of a MODE-
RATE EXTENT.—Were it *small*, it would form itself
into a *republic*: were it *very large*, the nobility, possessed
of great estates, far from the eye of the prince, with a pri-
vate court of their own, and secure moreover from sudden
executions by the laws and manners of the country, such a
nobility, I say, might throw off their allegiance, having
nothing to fear from too slow and too distant a punishment.

After the decease of Alexander his empire was divided.
How was it *possible* for those Greek and Macedonian
chiefs, who were each of them free and independent,
or commanders at least of the victorious bands dispersed
throughout that *vast extent of conquered land*, how was
it *possible*, I say, for them to be long united^a?

^a Montesquieu.

SECT. XV.

THE DISTINCTIVE PROPERTY OF A DESPOTIC GOVERNMENT.

A LARGE EMPIRE supposes a DESPOTIC AUTHORITY in the *person who governs*.—It is necessary that the *quickness of the prince's resolutions* should supply the *distance of the places they are sent to*; that *fear* should prevent the *remissness of the distant governor or magistrate*; that the *law* should be derived from a *single person*, and should *shift continually*, according to the *accidents* which incessantly multiply in a state in proportion to its extent ^a.

^a Montesquieu.

S E C T. XVI.

THE MANNER IN WHICH DIFFERENT GOVERNMENTS PROVIDE FOR THEIR SECURITY.

A kingdom of a moderate extent is liable to sudden invasions: it must therefore have fortresses to defend its frontiers; and troops to garrison those fortresses.—The least spot of ground is disputed with military skill and resolution.—Fortresses are proper for monarchies; DESPOTIC GOVERNMENTS are afraid of them.—They dare not intrust their officers with such a command, as none of them have any affection for the prince or his government.

DESPOTIC GOVERNMENTS, when invaded, *sacrifice a part of the country; and by ravaging and desolating the frontiers, they render the heart of the empire inaccessible.*

They preserve themselves likewise by *another kind of separation, which is by putting the most distant provinces into the hands of a great vassal.—The MOGUL, the king of PERSIA, and the emperors of CHINA, have their fudatories; and the TURKS have found their ac-*

count in putting the Tartars, the Moldavians, the Wallachians, and formerly the Transilvanians, *between themselves and their enemies.*

The *real power* of a prince does not consist so much in the *facility he meets with in making conquests*, as in the *difficulty an enemy finds in attacking him*, and, if I may so speak, in the *immutability* of his condition. But the *increase of territory* obliges a government to lay itself *more open* to an enemy.

As Monarchs therefore ought to be endued with *wisdom* in order to *increase their power*, they ought likewise to have an *equal share of prudence to confine it within bounds*.—Upon removing the *inconveniencies of too small a territory*, they should have their eye constantly on the *inconveniencies which attend its extent*^a.

^a Montesquieu.

THE BIAS
WHICH
THE DIFFERENT FORMS OF GOVERNMENT
GIVE TO THE NATIONAL CHARACTER.

S E C T. XVII.

THE EFFECTS OF MONARCHY ON THE NATIONAL
CHARACTER.

IN MONARCHIES *our character* is not formed in colleges or academies.—It *commences*, in some measure, at *our setting out in the world*; for *this* is the *school* of what we call *honour*, that universal preceptor which ought every where to be our guide.

In our days we receive *three different* or *contrary* *educations*, namely, of our *parents*, of our *masters*, and of the *world*.—What we learn in the *latter*, effaces all the ideas of the *former*.

Here it is that we constantly hear *these* rules or maxims, viz. *that we should have a certain nobleness in our virtues, a kind of frankness in our morals, and a particular politeness in our behaviour*.

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The *virtues* we are here taught are not so much *what draws us toward society, as what distinguishes us from our fellow citizens.*

Here the *actions* of men are judged, not as *virtuous*, but as *shining*; not as *just*, but as *great*.

Here *gallantry* is allowed, when united with the idea of *sensible affection*; this is the reason why we never meet with so strict a purity of morals in monarchies, as in republican governments.

It allows of *cunning* and *craft*, when joined with the notion of *greatness of soul or importance of affairs*; as, for instance, in politics, with whose finesses it is far from being offended.

It does not forbid *adulation*, but when *separate from the idea of a large fortune, and connected only with the sense of our mean condition.*

With regard to *morals*, the education of monarchies admits of a *certain frankness and open carriage*.—*Truth therefore in conversation is here a necessary point*.—But is it for the *sake of truth*? by no means.—*Truth is requisite only*, because a person habituated to *veracity* has an air of freedom, and acquires our confidence.—And indeed, a man of *this stamp* seems to lay less stress on the *thing itself*, than on the *manner* in which he will be received.

Hence

Hence it is, that in proportion as this kind of frankness is commended, that of the common people is despised, which has nothing but truth and simplicity for its object.

In fine, the education of monarchies requires a certain politeness of behaviour.—Man, a sociable animal, is formed to please in society; and a person that would break through the rules of decency, so as to shock those he conversed with, would lose the public esteem, and become incapable of doing any good.

BUT POLITENESS, GENERALLY SPEAKING, DOES NOT DERIVE ITS ORIGINAL FROM SO PURE A SOURCE.—IT RISES FROM A DESIRE OF DISTINGUISHING OURSELVES.—IT IS PRIDE THAT RENDERS US POLITE: WE ARE FLATTERED WITH BEING TAKEN NOTICE OF FOR A BEHAVIOUR THAT SHEWS WE ARE NOT OF A MEAN CONDITION, AND THAT WE HAVE NOT BEEN BRED UP WITH THOSE WHO IN ALL AGES ARE CONSIDERED AS THE SCUM OF THE PEOPLE.

Politeness, in monarchies, is naturalised at court.—Hence that *politeness*, equally pleasing to those by whom, as to those towards whom, it is practised; because it gives people to understand, that a person actually belongs, or at least deserves to belong, to the court.

A court air consists in quitting a *real* for a *borrowed greatness*.—The latter pleases the courtier more than the former.—It inspires him with a certain *disdainful modesty*, which *shews itself externally*, but whose pride *insensibly diminishes in proportion to its distance from the source of this greatness*.

At court we find a *delicacy of taste in every thing*, a delicacy arising from the constant use of the superfluities of life, from the variety, and especially the satiety of pleasures, from the multiplicity and even confusion of fancies, which, if they are but agreeable, are sure of being well received.

Here it is that HONOUR interferes with every thing, mixing even with people's manner of thinking, and directing their very principles.

To this *whimsical honour* it is owing that the virtues are only just what it pleases; it adds rules of its own invention to every thing prescribed to us; it extends or limits our duties according to its own fancy, whether they proceed from religion, politics, or morality.

There is nothing so strongly inculcated in monarchies, by the laws, by religion, and honour, as *submission to the prince's will*; but this very honour tells us, that the prince never ought to command a *dishonourable action*,

tion, because this would render us *incapable* of serving him.

CRILLON refused to *assassinate* the Duke of Guise, but offered to *fight him*. After the massacre of St. Bartholomew, CHARLES IX. having sent orders to the governors in the several provinces for the Hugonots to be murdered, VISCOUNT DORTE, who commanded at Bayonne, wrote thus to the king, SIRE, AMONG THE INHABITANTS OF THIS TOWN, AND YOUR MAJESTY'S TROOPS, I COULD NOT FIND SO MUCH AS ONE EXECUTIONER; THEY ARE HONEST CITIZENS AND BRAVE SOLDIERS.—WE JOINTLY THEREFORE BESEECH YOUR MAJESTY TO COMMAND OUR ARMS AND LIVES IN THINGS THAT ARE PRACTICABLE.—*This great and generous soul looked upon a base action as a thing impossible.*

There is nothing that *honour* more strongly recommends to the nobility, *than to serve their prince in a military capacity*.—Yet *this very law* of its own making, *honour chooses to explain*; and in case of any *affront*, it *requires or permits us to retire*.

Honour therefore has *its supreme laws*, to which education is obliged to conform.—The chief of these are, *that we are permitted to set a value upon our for-*

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tune, but are absolutely forbidden to set any upon our lives.

The second is, that when we are raised to a post or preferment, we should never do or permit any thing which may seem to imply that we look upon ourselves as inferior to the rank we hold.

The third is, that those things which honour forbids are more rigorously forbidden, when the laws do not concur in the prohibition; and those it commands are more strongly insisted upon, when they happen not to be commanded by law.

S E C T. XVIII.

THE EFFECTS OF DESPOTISM ON THE NATIONAL
CHARACTER.

IN DESPOTIC STATES *learning* proves dangerous, *emulation* fatal; and as to *virtue*, Aristotle cannot think there is any *one virtue* belonging to *slaves*; if so, education in *despotic countries* is confined within a narrow compass.

Excessive obedience supposes *ignorance* in the person that obeys: for he has *no occasion* to *deliberate*, to *doubt*, to *reason*; he has *only* to *will*.

Here therefore *education* is in some measure *needless*: to give *something*, one must take away *every thing*; and begin with making a *bad subject*, in order to make a *good slave*.

FOR WHY SHOULD EDUCATION TAKE PAINS IN FORMING A GOOD CITIZEN, ONLY TO MAKE HIM SHARE IN THE PUBLIC MISERY?—IF HE LOVES HIS COUNTRY, HE WILL STRIVE TO RELAX THE SPRINGS OF GOVERNMENT; IF HE MISCARRIES HE WILL BE UNDONE; IF HE SUCCEEDS, HE MUST EXPOSE HIMSELF, THE PRINCE, AND HIS COUNTRY, TO RUIN.

S E C T. XIX.

THE EFFECTS OF A REPUBLIC ON THE NATIONAL
CHARACTER.

MOST of the ancients lived under governments that had *virtue* for their principle; and when this was in full vigour, they performed actions unusual in our times, and at which our narrow minds are astonished.

It is in a *republican government* that the whole power of education is required.—It must inspire us with the love of *the laws* and of our *country*.—And as *such love* requires a constant preference of *public* to *private* interest, it demands a species of self-renunciation, which is ever arduous and painful.

Every thing depends on establishing *this love* in a *republic*; and to inspire it ought to be the principal business of education: but the surest way of instilling it into children, is for parents to set them *an example*.

People have it generally in their power to communicate their ideas to their children; but they are still better able to transfuse *their passions*.

Virtue

Virtue in a republic is a most simple thing; it is a love of the republic; it is a sensation, and not a consequence of acquired knowledge: a sensation, that may be felt by the meanest as well as by the highest person in the state.—When the common people adopt good maxims, they generally adhere to them with great steadiness.

The love of our country is conducive to purity of morals, and the latter is again conducive to the former.—The less we are able to satisfy our private passions, the more we abandon ourselves to those of a general nature.

S E C T. XX.

THE EFFECTS OF CLIMATE ON THE NATIONAL CHARACTER.

A cold air^a constricts the extremities of the external fibres of the body; this increases their elasticity, and favours the return of the blood from the extreme parts to the heart.—It contracts^b those very fibres; consequently it increases also their force.—On the contrary a warm air relaxes and lengthens the extremes of the fibres; of course it diminishes their force and elasticity.

People are therefore *more vigorous in cold climates*.—Here the action of the heart and the reaction of the extremities of the fibres are better performed, the temperature of the humours is greater, the blood moves freer towards the heart, and reciprocally the heart has more power.—*This superiority of strength must produce various effects; for instance, a greater boldness, that is,*

^a This appears even in the countenance: in cold weather people look thinner.

^b We know it shortens iron.

more courage; *a greater sense of superiority*, that is, less desire of revenge; *a greater opinion of security*, that is, more frankness, less suspicion, policy, and cunning.—*In short*, this must be productive of very different tempers.—PUT A MAN INTO A CLOSE WARM PLACE, AND FOR THE REASONS ABOVE GIVEN HE WILL FEEL A GREAT FAINTNESS.—IF UNDER THIS CIRCUMSTANCE YOU PROPOSE A BOLD ENTERPRIZE TO HIM, I BELIEVE YOU WILL FIND HIM VERY LITTLE DISPOSED TOWARDS IT: HIS PRESENT WEAKNESS WILL THROW HIM INTO A DESPONDENCY; HE WILL BE AFRAID OF EVERY THING, BEING IN A STATE OF TOTAL INCAPACITY.—The inhabitants of *warm countries* are, like old men, timorous; the people in *cold countries* are, like young men, brave.—If we reflect on the late wars^a, which are more recent in our memory, and in which we can better distinguish some particular effects that escape us at a greater distance of time; we shall find that the northern people transplanted into southern regions^b, did not perform such exploits as their countrymen, who, fighting in their own climate, possessed their full vigour and courage.

^a Those for the succession to the Spanish monarchy.

^b For instance in Spain.

This strength of the fibres in northern nations is the cause that the coarser juices are extracted from their aliments.—From hence two things result: one, that the parts of the chyle or lymph are more proper by reason of their large surface, to be applied to, and to nourish, the fibres: the other, that they are less proper, from their coarseness, to give a certain subtilty to the nervous juice.—Those people have therefore large bodies and but little vivacity.

The nerves that terminate from all parts in the cutis form each a nervous bundle; generally speaking, the whole nerve is not moved, but a very minute part.—In warm climates, where the cutis is relaxed, the ends of the nerves are expanded and laid open to the weakest action of the finallest objects.—In cold countries the cutis is constringed and the papillæ compressed; the miliary glands are in some measure paralytic; and the sensation does not reach the brain, but when it is very strong and proceeds from the whole nerve at once. *Now imagination, taste, sensibility, and vivacity, depend on an infinite number of small sensations.*

In cold countries, they have very little sensibility for pleasure; in temperate countries, they have more; in warm countries, their sensibility is exquisite.—As cli-
mates

mates are distinguished by degrees of *latitude*, we might distinguish them also in some measure, by those of *sensibility*.—I have been at the opera in ENGLAND and in ITALY; where I have seen the *same pieces* and the *same performers*: and yet the *same music* produces *such different effects* on the two nations; one is *so cold and phlegmatic*, and the other *so lively and enraptured*, that it seems almost inconceivable.

It is the same with regard to *pain*; which is excited by the laceration of some fibre of the body.—The author of nature has made it an established rule that this pain should be more acute in proportion as the laceration is greater: now it is evident, that the large bodies and coarse fibres of the people of the *north*, are less capable of laceration than the delicate fibres of the inhabitants of *warm countries*; consequently the soul is there less sensible of pain.—*You must flay a Muscovite alive to make him feel.*

From this delicacy of organs peculiar to *warm climates*, it follows that the soul is most sensibly moved by whatever relates to the union of the two sexes: here every thing leads to this object.

In *northern climates* scarce has the animal part of love a power of making itself felt.—In *temperate climates*,

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love,

love, attended by a thousand appendages, endeavours to please by things that have at first the appearance, though not the reality of this passion.—In *warmer climates* it is liked for its own sake, it is the only cause of happiness, it is life itself

In *southern countries* a machine of a delicate frame, but strong sensibility, resigns itself wholly to a passion that is incessantly flattered in a seraglio; or gives way to the love of women who are in perfect independence, and is consequently exposed to a thousand inquietudes.—In *northern regions* the men, robust and heavy, find a pleasure in whatever is apt to throw the spirits into motion, such as hunting, travelling, war, and wine.—*If we travel towards the north*, we meet with people who have few vices, many virtues, and a great share of frankness and sincerity.—*If we draw near the south*, we fancy ourselves intirely removed from the verge of morality: here the strongest passions are productive of all manner of crimes, each man endeavouring, let the means be what they will, to indulge his inordinate desires.—In *temperate climates* we find the inhabitants inconstant in their manners, as well as in their vices and virtues: the climate has not a quality determinate enough to fix them.

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THE HEAT OF THE CLIMATE MAY BE SO EXCESSIVE AS TO DEPRIVE THE BODY OF ALL VIGOR AND STRENGTH.—THEN THE FAINTNESS IS COMMUNICATED TO THE MIND; THERE IS NO CURIOSITY, NO ENTERPRIZE, NO GENEROSITY OF SENTIMENT; THE INCLINATIONS ARE ALL PASSIVE; INDOLENCE CONSTITUTES THE UTMOST HAPPINESS; SCARCELY ANY PUNISHMENT IS SO SEVERE AS MENTAL EMPLOYMENT; AND SLAVERY IS MORE SUPPORTABLE THAN THE FORCE AND VIGOR OF MIND NECESSARY FOR HUMAN CONDUCT.

The INDIANS are naturally a pusillanimous people; even *the children of Europeans born in India* lose the courage peculiar to their own climate.—But how shall we reconcile this with their customs, and penances so full of barbarity? *the men voluntarily undergo the greatest hardships; and the women burn themselves*: here we find a very odd compound of fortitude and weakness.

Nature having framed those people of a texture so *weak* as to fill them with *timidity*, has formed them at the same time of an *imagination so lively*, that *every object* makes the *strongest impression* upon them.—THAT DELICACY OF ORGANS WHICH RENDERS THEM APPREHENSIVE OF DEATH, CONTRIBUTES LIKEWISE TO

MAKE THEM DREAD A THOUSAND THINGS MORE THAN DEATH: THE VERY SAME SENSIBILITY INDUCES THEM TO FLY, AND DARE, ALL DANGERS.

In ASIA the *strong nations* are opposed to the *weak*; the *warlike, brave, and active people* touch immediately on those who are *indolent, effeminate, and timorous*; the *one must therefore conquer, and the other be conquered*.—In EUROPE, on the contrary, *strong nations* are opposed to the *strong*; and those who join to each other have nearly the same courage.—*This is the grand reason of the weakness of ASIA, and of the strength of EUROPE: of the liberty of EUROPE and of the slavery of ASIA*.—From hence it proceeds, that *liberty in ASIA never increases*; whilst in EUROPE it is *enlarged, or diminished*, according to particular circumstances.

THE ENGLISH GOVERNMENT.

SECT. XVI.

ORIGIN OF THE BRITISH CONSTITUTION.

O LIBERTY, thou goddess heav'nly bright,
 Profuse of bliss, and pregnant with delight !
 Eternal pleasure in thy presence reign,
 And smiling plenty leads thy wanton train ;
 Eas'd of her load subjection grows more light,
 And poverty looks cheerful in thy sight ;
 Thou mak'st the gloomy face of nature gay,
 Giv'st beauty to the sun, and pleasure to the day.
Thee, goddess, *thee* BRITANNIA's isle adores ;
 How has she oft exhausted all her stores,
 How oft, in fields of death, thy presence sought,
 Nor thinks the mighty prize too dearly bought !

On foreign mountains, let the sun refine
 The grape's soft juice, and mellow it to wine;
 With citron groves adorn a distant soil;
 And the fat olive swell with floods of oil:
We envy not the warmer clime, that lies
 In ten degrees of more indulgent skies,
 Nor at the coarseness of our heav'n repine,
 Though o'er our heads the frozen pleiads shine;
 'Tis *Liberty* that crown's BRITANNIA's isle,
 That makes her barren rocks and bleakest mountains smile.

ADDISON.

OUR EXCELLENT CONSTITUTION, LIKE THAT OF MOST COUNTRIES IN EUROPE, HATH GROWN OUT OF OCCASION AND EMERGENCY; FROM THE FLUCTUATING POLICY OF DIFFERENT AGES; FROM THE CONTENTIONS, SUCCESSES, INTERESTS, AND OPPORTUNITIES OF DIFFERENT ORDERS AND PARTIES OF MEN IN THE COMMUNITY.—IT RESEMBLES ONE OF THOSE OLD MANSIONS, WHICH, INSTEAD OF BEING BUILT ALL AT ONCE, AFTER A REGULAR PLAN, AND ACCORDING TO THE RULES OF ARCHITECTURE AT PRESENT ESTABLISHED, HAS BEEN REARED IN DIFFERENT AGES OF THE ART, HAS BEEN ALTERED FROM TIME TO TIME, AND HAS BEEN CONTINUALLY RECEIVING

ADDITIONS AND REPAIRS SUITED TO THE TASTE, FORTUNE, OR CONVENIENCY, OF ITS SUCCESSIVE PROPRIETORS.—IN SUCH A BUILDING WE LOOK IN VAIN FOR THE ELEGANCE AND PROPORTION, FOR THE JUST ORDER AND CORRESPONDENCE OF PARTS, WHICH WE EXPECT IN A MODERN EDIFICE; AND WHICH EXTERNAL SYMMETRY, AFTER ALL, CONTRIBUTES MUCH MORE PERMAPS TO THE AMUSEMENT OF THE BEHOLDER, THAN THE ACCOMMODATION OF THE INHABITANT ^a.

^a Paley.

 S E C T. XVII.

OF A REFORM IN PARLIAMENT.

WHEN we contemplate the THEORY OF THE BRITISH GOVERNMENT we see THE KING invested with the most *absolute personal impunity*; with a *power of rejecting laws*; which have been resolved upon by *both houses of parliament*; of *conferring by his charter*, upon any *set or succession of men he pleases*, the *privilege of sending representatives into one house of parliament*, as by his *immediate appointment he can place whom he will in the other*.—What is this, a *foreigner* might ask, but a *more circuitous despotism*?—Yet, when we turn our attention from the *legal extent* to the ACTUAL EXERCISE of *royal authority* in England, we see these *formidable prerogatives* dwindled into *mere ceremonies*; and IN THEIR STEAD, a *sure and commanding influence* established, arising from that *enormous patronage*, which the *increased territory and opulence of the empire* has placed in the disposal of the *executive magistrate*.

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Upon questions of REFORM the habit of reflection to be encouraged, is a sober comparison of the constitution under which we live, not with models of *speculative perfection*, but with the *actual chance* of obtaining a better.—*This turn of thought will generate a political disposition, equally removed from that PUERILE ADMIRATION of present establishments which sees no fault, and can endure no change, and that DISTEMPERED SENSIBILITY, which is alive only to perceptions of inconveniency, and is too impatient to be delivered from the uneasiness which it feels, to compute either the peril, or expence of the remedy.*

Political innovations commonly produce many effects beside those that are intended.—The direct consequence is often the least important.—Incidental, remote, and unthought of evils or advantages frequently exceed the good that is designed, or the mischief that is foreseen—It is from the silent and unobserved operation, from the obscure progress of causes, set at work for different purposes, that the greatest revolutions take their rise.

When ELIZABETH, and her IMMEDIATE SUCCESSOR, applied themselves to the encouragement and regulation of TRADE by many wise laws, they knew not, that, together with wealth and industry, they were

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diffusing

diffusing a consciousness of strength and independency, which would not long endure, under the forms of a mixed government, the dominion of arbitrary princes.

When it was debated whether the MUTINY ACT (the law by which the army is governed and maintained) should be *temporary* or *perpetual*, little else probably occurred to the advocates of *an annual bill*, than the expediency of retaining a *control over the most dangerous prerogative of the crown*—THE DIRECTION AND COMMAND OF A STANDING ARMY: whereas, in its effect, *this single reservation has altered the whole frame and quality of the British constitution.*—For since, in consequence of the military system which prevails in neighbouring and rival nations, as well as on account of the internal exigencies of government, a *standing army* has become *essential* to the safety and administration of the empire, it enables parliament, by *discontinuing this necessary provision*, so to enforce its resolutions upon any other subject, as to render the king's *dissent* to a law, which has received the *approbation* of both houses, *too dangerous an experiment* any longer to be advised.—A *contest* between the king and *parliament* cannot now be *persevered in*, without a dissolution of the government.—Lastly, when the constitution

tion conferred upon the crown *the nomination to all employments in the public service*, the authors of this arrangement were led to it, by the obvious propriety of leaving to a master the choice of his servants; and by *the manifest inconveniency of engaging the national council, upon every variety, in those personal contests which attend elections to places of honour and emoluments.*—Our ancestors did not observe that this disposition added an *influence* to the *regal office*, which, as the number and value of public employments increased, would supersede in a great measure the forms, and change the character of the ancient constitution.—They knew not what the experience and reflection of modern ages has discovered, that *patronage* universally is *power*; that he who possesses in a sufficient degree the means of gratifying the desires of mankind after wealth and distinction, by whatever checks and forms his authority may be limited or disguised, will direct the management of public affairs.—Whatever be the mechanism of the political engine, he will guide the motion.

These instances are adduced to illustrate the proposition we laid down, that, in politics, the most important and permanent effects have, for the most part, been incidental and unforeseen: and this proposition we inculcate, for the sake of the caution which it teaches,

that *changes* ought not to be *adventured upon* without a *comprehensive discernment* of the *consequences*,—without a *knowledge*, as well of the *remote tendency*, as of the *immediate design*.—*The courage of a statesman should resemble that of a commander, who, however regardless of personal danger, never forgets that with his own he commits the lives and fortunes of a multitude; and who does not consider it as any proof of zeal or valour, to stake the safety of other men, upon the success of a perilous or desperate enterprise.*

There is one *end of civil government* peculiar to a *good constitution*, namely, the *happiness of its subjects*; there is another *end essential* to a *good government*, but common to it with many bad ones—its *own preservation*.—Observing that the *best form of government* would be *defective*, which *did not provide* for its own *permanency*, in our *political reasonings* we consider all such provisions as *expedient*; and are content to accept as a *sufficient ground* for a *measure, or law*, that it is *necessary* or *conducive to the preservation of the constitution*.

The Government of England, which has been sometimes called a *mixed government*, sometimes a *limited monarchy*, is formed by a combination of the *three regular species of government*; the *monarchy, residing in the King*; the

aristocracy,

aristocracy, in the House of Lords; and the republic being represented by the House of Commons.—The perfection intended by such a scheme of government is, to *unite the advantages* of the several simple forms, and to *exclude the inconveniencies*.—To what degree this purpose is attained or attainable in the British constitution; wherein it is lost sight of or neglected; and by what means it may in any part be promoted with better success, the reader will be enabled to judge, by a separate recollection of these advantages and inconveniencies, as enumerated in section the 4th, and a distinct application of each to the political condition of this country.—We will present our remarks upon the subject in a brief account of the expedients by which the British constitution provides,

1st, FOR THE INTEREST OF ITS SUBJECTS.

2^{dly}, FOR ITS OWN PRESERVATION.

The contrivances for the first of these purposes are the following:

In order to promote the establishment of salutary laws, *every citizen* of the state is *capable* of becoming a *member of the senate*; and *every senator* possesses the *right of propounding* to the deliberation of the legislature *whatever law he pleases*.

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Every district of the empire enjoys the privilege of choosing representatives, *informed of the interests and circumstances and desires of their constituents*, and entitled by their situation *to communicate that information to the national council*.—The meanest subject has some one whom he can call upon to bring forward his complaints and requests to public attention.

By annexing the right of voting for members of the House of Commons to different qualifications in different places, each order and profession of men in the community become virtually represented; that is, men of all orders and professions, *statesmen, courtiers, country gentlemen, lawyers, merchants, manufacturers, soldiers, sailors*, interested in the prosperity, and experienced in the occupation of their respective professions, *obtain seats in parliament*.

The elections, at the same time, are so connected with the influence of landed property as to afford a certainty that *a considerable number of men of great estates will be returned to parliament*; and are also so modified, that men the *most eminent and successful* in their respective professions, are the *most likely*, by their riches, or the weight of their stations, to prevail in these competitions.

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The *number, fortune, and quality* of the members; the *variety of interests and characters* amongst them; above all, the *temporary duration* of their power, and the *change of men* which every new election produces, are so many *securities* to the public, as well against the subjection of their judgments to any external dictation, as against the formation of a junto in their own body, sufficiently powerful to govern their decisions.

The *representatives* are so *intermixed* with the *constituents*, and the *constituents* with the *rest of the people*, that they cannot, without a partiality too flagrant to be endured, *impose any burden upon the subject, in which they do not share themselves*; nor scarcely can they adopt an advantageous regulation, in which their own interests will not *participate* of the advantage.

The proceedings and debates of parliament, and the parliamentary conduct of each representative, are known by the people at large.

The *representative* is so far dependent upon the *constituent*, and *political importance* upon *public favour*, that a *member of parliament* cannot more effectually recommend himself to *eminence and advancement* in the state, than by *contriving and patronising laws of public utility*.

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When *intelligence* of the *condition*, *wants*, and *occasions* of the people, is thus *collected* from *every quarter*, when such a *variety* of invention, and *so many* understandings are set at work upon the subject, it may be *presumed*, that the most eligible, expedient, remedy, or improvement, *will occur to some one or other*; and when a wise counsel, or beneficial regulation, is once suggested, it may be *expected*, from the disposition of an assembly so constituted as the British House of Commons is, *that it cannot fail of receiving the approbation of a majority*.

To prevent those destructive contentions for the supreme power, which are sure to take place, where the members of the state do not live under an acknowledged head, and a known rule of succession; to preserve the people in tranquillity at home, by a speedy and vigorous execution of the laws; to protect their interest abroad, by strength and energy in military operations, by those advantages of decision, secrecy, and dispatch, which belong to the resolutions of monarchical councils;—*for these purposes*, the constitution has committed the *executive government* to the administration and *limited authority* of an *hereditary King*.

In the defence of the empire; in the maintenance of its power, dignity, and privileges, with foreign nations;

tions; in the advancement of its trade by treaties and conventions; and in the providing for the general administration of municipal justice, by a proper choice and appointment of magistrates, the inclination of the king and of the people usually coincide: in this part, therefore, of the regal office, the *constitution* entrusts the prerogative with *ample powers*.

The *dangers* principally to be apprehended from regal government, relate to the two articles of TAXATION and PUNISHMENT.—In every form of government, from which the people are excluded, it is the interest of the governors to get as much, and of the governed to give as little, as they can: the power also of punishment, in the hands of an arbitrary prince, oftentimes becomes an engine of extortion, jealousy, and revenge.—*Wisely*, therefore, hath the BRITISH CONSTITUTION guarded the *safety* of the people, in these two points, by the most *studious precaution*.

Upon that of *taxation*, every law, which, by the remotest construction, may be deemed to levy money upon the property of the subject, *must originate*, that is, must first be proposed and assented to, *in the House of Commons*: by which regulation, accompanying the weight which that assembly possesses in all its functions,

the levying of taxes is almost exclusively reserved to the popular part of the constitution, who, it is presumed, *will not tax themselves*, nor their *fellow subjects*, without being first convinced of the *necessity* of the aids which they grant.

The application also of the public supplies is watched with the same circumspection as the assessment.—Many taxes are annual; the produce of others is mortgaged, or appropriated to specific services; *the expenditure of all of them is accounted for in the House of Commons*; as computations of the charge or the purpose for which they are wanted are previously submitted to the same tribunal.

In the infliction of *punishment*, the power of the crown, and of the magistrate appointed by the crown, is confirmed by the most precise limitations; *the guilt of the offender must be pronounced by twelve men of his own order, indifferently chosen out of the county where the offence was committed: the punishment, or the limits to which the punishment may be extended, are ascertained and affixed to the crime, by laws which know not the person of the criminal.*

And whereas, arbitrary or clandestine confinement is the injury most to be dreaded from the strong hand of
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the executive government, because it deprives the prisoner at once of protection and defence, and delivers him into the power, and to the malicious or interested designs of his enemies; *the constitution has provided against this danger with extreme solicitude.*—The ancient writ of habeas corpus, the habeas corpus act of Charles the Second, and the practice and determinations of our sovereign courts of justice founded upon these laws, afford a *complete remedy* for every conceivable case of *illegal imprisonment* ^a.

^a Upon complaint in writing by, or on behalf of, any person in confinement, to any of the four courts of Westminster Hall, in term time, or to the Lord Chancellor, or one of the Judges, in the vacation; and upon a probable reason being suggested to question the legality of the detention, a writ is issued, to the person in whose custody the complainant is alleged to be, commanding him within a certain limited and short time to produce the body of the prisoner, and the authority under which he is detained.—Upon the return of the writ, strict and instantaneous obedience to which is enforced by very severe penalties, if no lawful cause of imprisonment appear, the court or judge, before whom the prisoner is brought, is authorized and *bound to discharge him; even though he may have been committed by a secretary, or other high officer of state, by the privy council, or by the King in person: so that no subject of this realm can be held in confinement, by any power, or under any pretence whatever, provided he can find means to convey his complaint to one of the four courts of Westminster Hall, or during their recess to any of the Judges of the same, unless all these several tribunals agree in determining his imprisonment to be legal.—He may make application to them, in succession; and if one out of the number be found, who thinks the prisoner entitled to his liberty, that one possesses authority to restore it to him.*

Treason being that charge, under colour of which the destruction of an obnoxious individual is often sought; and government being at all times more immediately a party in the prosecution; the law, beside the general care with which it watches over the safety of the accused, in this case, sensible of the unequal contest in which the subject is engaged, has assisted his defence with extraordinary indulgencies.—*By two statutes, enacted since the revolution, every person indicted for high treason shall have a copy of his indictment, a list of the witnesses to be produced, and of the jury impannelled, delivered to him ten days before the trial; he is also permitted to make his defence by counsel; privileges which are not allowed to the prisoner in a trial for any other crime: and what is of more importance to the party than all the rest, the testimony of two witnesses, at least, is required to convict a person of treason; whereas, one positive witness is sufficient in almost every other species of accusation.*

We proceed, in the second place, to enquire in what manner the *constitution* has provided for its own PRESERVATION; that is, in what manner each part of the *legislature* is secured in the exercise of the powers assigned to it, from the *encroachment* of the other parts.—This security is sometimes called the *balance of the constitution*; and the
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political equilibrium, which this phrase denotes, consists in two contrivances,—A BALANCE OF POWER, and A BALANCE OF INTEREST.—By a *balance of power* is meant, that there is no power possessed by *one* part of the legislature, the *abuse* or *excess* of which is not *checked* by some *antagonist power* residing in *another* part.—Thus the power of the *two houses* of parliament to frame laws is *checked* by the *King's negative*; that if laws subversive of real government should obtain the consent of parliament, the reigning prince, by interposing his prerogative, may save the necessary rights and authority of his station.—On the other hand, the *arbitrary application* of this *negative* is *checked* by the privilege which parliament possesses, of *refusing supplies of money* to the exigencies of the King's administration.—The constitutional maxim, *that the King can do no wrong*, is balanced by another maxim, not less constitutional, *that the illegal commands of the King do not justify those who assist or concur in carrying them into execution*; and by a second rule, subsidiary to this, *that the acts of the crown acquire not any legal force, until authenticated by the subscription of some of its great officers*.—The wisdom of this contrivance is worthy of observation.—As the King could not be punished, without a civil war, the constitution

tution exempts his person from trial or account; but, lest this impunity should encourage a licentious exercise of dominion, *various obstacles* are opposed to the private will of the sovereign, when directed to illegal objects.—*The pleasure of the crown must be announced with certain solemnities, and attended by certain officers of state.*—In some cases, the royal order must be signified by a *secretary of state*; in others, it must pass under the *privy seal*, and in many, under the *great seal*.—And when the King's command is regularly published, *no mischief can be achieved by it, without the ministry and compliance of those to whom it is directed.*—*Now all who either concur in an illegal order, by authenticating its publication with their seal or subscription, or who in any manner assist in carrying it into execution, subject themselves to prosecution and punishment, for the part they have taken; and are not permitted to plead or produce the command of the King, in justification of their obedience.*—But farther; the power of the crown to direct the military force of the kingdom, is *balanced* by the annual necessity of resorting to parliament for the maintenance and government of that force.—The power of the King to declare war is checked by the privilege of the house of commons to grant or withhold the supplies by which the war must be carried

on.—The *King's choice* of his ministers is *controlled* by the obligation he is under of appointing those men to offices in the state, who are found capable of managing the affairs of his government with the two houses of parliament.—Which consideration imposes such a necessity upon the crown, as hath in a great measure subdued the idea of favouritism; insomuch, that it is become no uncommon spectacle in this country, to see men promoted by the King to the highest offices, and richest preferments, which he has in his power to bestow, who have been distinguished by their opposition to his personal inclinations.

By the *balance of interest*, which accompanies and gives efficacy to the *balance of power*, is meant this, that the *respective interests* of the *three* estates of the empire are *so disposed and adjusted*, that whichever of the *three* shall attempt any *encroachment*, the other *two* will unite in resisting it.—If the *King* should endeavour to extend his authority, by contracting the power and privileges of the *commons*, the *house of lords* would see their own dignity endangered by every advance which the crown made to independency upon the resolutions of parliament.—The admission of arbitrary power is no less formidable to the grandeur of the aristocracy, than it is fatal to the liberty
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of the republic; that is, it would reduce the nobility from the hereditary share they possess in the national councils, in which their real greatness consists, to the being made a part of the empty pageantry of a despotic court.—On the other hand, if the *house of commons* should intrench upon the distinct province, or usurp the established prerogative of the *crown*, the *house of lords* would receive an instant alarm from every new stretch of popular power.—In every contest in which the *King* may be engaged with the *representative body*, in defence of his established share of authority, he will find a sure ally in the collective power of the *nobility*.—An attachment to the monarchy, from which they derive their own distinction; the allurements of a court; in the habits and with the sentiments of which they have been brought up; their hatred of equality, and of all levelling pretensions, which may ultimately affect the privileges, or even the existence of their order; in short, every principle and every prejudice which are wont to actuate human conduct, will determine their choice, to the side and support of the crown.—Lastly, if the *nobles* themselves should attempt to revive the superiorities, which their ancestors exercised under the feudal constitution, the *King* and the *people* would alike remember, how
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the one had been insulted, and the other enslaved, by that barbarous tyranny.—They would forget the natural opposition of their views and inclinations, when they saw themselves threatened with the return of a *domination*, which was *odious and intolerable to both* ^a.

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^a The reader will have observed, that in describing the *British constitution* little notice has been taken of the *house of lords*.—The proper use and design of this part of the constitution are the following: First, to *enable the King, by his right of bestowing the peerage, to reward the servants of the public in a manner most grateful to them, and at a small expence to the nation*; secondly, to *fortify the power and to secure the stability of regal government, by an order of men naturally allied to its interests*; and, thirdly, to *answer a purpose, which though of superior importance to the other two, does not occur so readily to our observation*; namely, to *stem the progress of popular fury*.—Large bodies of men are subject to *sudden phrenses*.—Opinions are sometimes circulated amongst a multitude without *proof or examination*, acquiring *confidence and reputation merely by being repeated from one to another*; and *passions* founded upon these opinions *diffusing themselves with a rapidity which can neither be accounted for nor resisted*, may *agitate a country with the most violent commotions*.—Now the *only way* to stop the *fermentation* is to *divide the mass*; that is to erect different orders in the community, with *separate prejudices and interests*.—And this may occasionally become the *use of an hereditary nobility*, invested with a share of legislation.—*Averse to those prejudices which actuate the minds of the vulgar*; accustomed to *condemn the clamour of the populace*; *disdaining to receive laws and opinions from their inferiors in rank*, they will *oppose resolutions which are founded in the folly and violence of the lower part of the community*.—Was the *voice of the people* always dictated by *reflection*; did *every man*, or even one man in a hundred, *think for himself*, or *actually consider the measure he was about to approve or censure*; or even were the *common people tolerably steadfast in the judgment which they formed*, I should hold the *interference of a superior order*, not only *superfluous*, but *wrong*: for, when every thing is allowed to difference of rank and education, which the

There is nothing, in the British constitution, so remarkable, as the *irregularity of the POPULAR REPRESENTATION*.—The *house of commons* consists of *five hundred and forty-eight* members, of whom *two hundred* are elected by *seven thousand constituents*: so that a majority

actual state of these advantages deserves, that, after all, is most likely to be right and expedient, which appears to be so to the separate judgment and decision of a great majority of the nation; at least, that, in general, *is right for them*, which is agreeable to their *fixed opinions and desires*.—But when we observe *what is urged as the public opinion*, to be, in truth, the *opinion only*, or perhaps the *feigned professions* of a *few crafty leaders*; that the *numbers* who join in the cry, serve only to swell and multiply the sound, without any accession of judgment, or exercise of understanding; and that oftentimes the *wisest councils* have been thus *overborne by tumult and uproar*,—we may conceive occasions to arise, in which the *commonwealth may be saved* by the *reluctance* of the nobility to adopt the caprices, or to yield to the vehemence of the common people.—In expecting this advantage from an order of nobles, we do not suppose the nobility to be more unprejudiced than others; we only suppose that their *prejudices will be different from*, and may occasionally *counteract*, those of others.

The *admission of a small number of ecclesiastics* into the *house of lords* is but an *equitable compensation* to the clergy for the *exclusion* of their order from the house of commons.—They are a set of men considerable by their number and property, as well as by their influence, and the duties of their station; yet, whilst every other profession has those amongst the national representatives, who, being conversant in the same occupation, are able to state, and naturally disposed to support, the rights and interests of the class to which they belong, the clergy alone are deprived of this advantage.—Which hardship is made up to them by introducing the prelacy into parliament; and if *bishops*, from gratitude or expectation, be more obsequious to the *will of the crown*, than those who possess great temporal inheritances, they are properly inserted into that part of the constitution, from which much or frequent resistance to the measures of government is not expected.

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of these seven thousand, without any reasonable title to superior weight or influence in the state, may, under certain circumstances, decide a question against the opinion of as many millions.—*Or*, to place the same object in another point of view; if my estate be situated in one county of the kingdom, I possess the ten thousandth part of a single representative; if in another, the thousandth; if in a particular district, I may be one in twenty who choose two representatives; if in a still more favoured spot, I may enjoy the right of appointing two myself.—If I have been born, or dwell, or have served an apprenticeship in one town, I am represented in the national assembly by two deputies, in the choice of whom I exercise an actual and sensible share of power; if accident has thrown my birth, or habitation, or service, into another town, I have no representative at all, nor more power or concern in the election of those who make the laws, by which I am governed, than if I was a subject of the Grand Signior—and this partiality subsists without any pretence whatever of merit or of propriety, to justify the preference of one place to another.—*Or*, thirdly, to describe the state of national representation as it exists in reality, it may be affirmed, I believe, with truth, that about one half of the house

of commons obtain their seats in that assembly by the election of the people, the other half by purchase, or by the nomination of single proprietors of great estates.

This is a flagrant *incongruity* in the constitution; but it is one of those *objections* which *strike most forcibly at first*.—The *effect* of all reasoning upon the subject will *diminish* the first impression: on which account it deserves the more attentive examination, that we may be assured, before we *adventure* upon a *reformation*, that
 THE MAGNITUDE OF THE EVIL JUSTIFIES THE DANGER OF THE EXPERIMENT.

In the few remarks that follow, we would be understood, in the first place, to *decline all conference* with those who wish to *alter the form of government of these kingdoms*.—The reformers with whom we have to do, are they, who, while they *change* this part of the system, would *retain the rest*.—If any Englishman expect more happiness to his country under a *republic*, he may very *consistently* recommend a new modelling of elections to parliament; because, *if the king and house of lords were laid aside*, the present disproportionate representation would produce nothing but a *confused and ill-digested oligarchy*.—In like manner we wave a contro-
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verfy with thofe writers who infift upon representation as a *natural* right^a: we confider it fo far only as a *right at all*, as it conduces to PUBLIC UTILITY; that is, as it *contributes to the eftablifhment of good laws, or as it fecures to the people the juft adminiftration of thefe laws.*—Thefe *effects* depend upon the *difpofition and abilities* of the *national counfellors.*—Wherefore, if *men the moft likely by their qualifications to know and to promote the public intereft be actually returned to parliament, it fignifies little who return them.*—If the *propereft* perfons be *elected*, what matters it *by whom* they are elected?—*At leaft, no prudent ftatefman would fubvert long eftablifhed or even fettled rules of representation, without a profpect of procuring wifer or better representatives.*

This then being well obferved, let us, before we feek to obtain any thing more, confider duly what we *already have.*—We *have* a houfe of commons compofed of *five hundred and forty-eight members*, in which number are found the moft CONSIDERABLE LANDHOLDERS

^a If this right be *natural*, no doubt it muft be equal, and the right, we may add, of one fex, as well as of the other.—Whereas every plan of representation we have heard of begins by excluding the votes of women: thus cutting off, at a fingle ftroke, *one half* of the public from a right which is afferted to be inherent in *all*; a right too, as fome represent it, not only univerfal, but unalienable and indefeafible.

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and MERCHANTS of the kingdom; the HEADS of the ARMY, the NAVY, and the LAW; the OCCUPIERS of GREAT OFFICES IN THE STATE; together with MANY PRIVATE INDIVIDUALS, eminent by their knowledge, eloquence, or activity.—Now, if the *country* be not *safe* in *such hands*, in *whose* may it *confide its interests*?—If *such* a number of *such* men be *liable* to the *influence* of *corrupt motives*, what assembly of men will be *secure* from the *same danger*?—Does any *new scheme of representation* *promise* to *collect* together *more wisdom*, or to *produce firmer integrity*?

In this view of the subject, and attending not to ideas of *order* and *proportion* (of which many minds are much enamoured), but to *effects alone*, we may discover *just excuses* for those parts of the present representation which appear to a *hasty observer* *most exceptionable and absurd*.

It should be remembered as a maxim extremely applicable to this subject, that no order or assembly of men whatever can long maintain their place and authority in a *mixed government*, of which the members do not individually possess a respectable share of personal importance.—Now, whatever may be the *defects* of the present arrangement, it *infallibly secures a great weight of property to the house of commons*, by rendering *many seats*
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in that house accessible to men of large fortunes, and to such men alone.—By which means those characters are engaged in the defence of the separate rights and interests of this branch of the legislature, that are best able to support its claims.—The constitution of most of the small boroughs, especially the burgage tenure, contributes, though undesignedly, to the same effect; for the appointment of the representatives we find commonly annexed to certain great inheritances.—*Elections purely popular* are in this respect *uncertain*: in times of tranquillity, the *natural ascendancy of wealth will prevail*; but when the *minds of men are inflamed by political dissensions, this influence often yields to more impetuous motives.*

The *variety of tenures and qualifications*, upon which the right of voting is founded, appears to me a recommendation of the mode which now subsists, as it tends to introduce into parliament a corresponding *mixture of characters and professions.*—It has been long observed that *conspicuous abilities are most frequently found with the representatives of small boroughs.*—And this is nothing more than what the laws of human conduct might teach us to expect: when such boroughs are set to sale, those men are likely to become purchasers who are able to make the best display of their talents: and
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when a seat is not sold, but *given* by the opulent proprietor of a burgage tenure, the patron finds his own interest consulted, by the reputation and abilities of the member whom he nominates.

If certain of the nobility hold the appointment of some part of the house of commons, it serves to maintain that alliance between the two branches of the legislature, which no good citizen would wish to see dissevered: it helps to keep the government of the country in the house of commons, in which, it would not perhaps long continue to reside, if so powerful and wealthy a part of the nation as the peerage compose, were excluded from all share and interest in its constitution.

If there be a *few* boroughs so circumstanced as to lie at the disposal of the crown; whilst the number of such is *known* and *small*, they may be *tolerated with little danger*.—For where would be the impropriety, or the inconveniency, if the king at once should nominate a *limited number* of his servants to seats in parliament; or, what is the same thing, if seats in parliament were annexed to the possession of certain of the most efficient and responsible offices in the state?

The present representation, after all these deductions, and under the confusion in which it confessedly lies, is

still in such a degree *popular*; or rather the *representatives* are so connected with the *mass* of the community, by a *society* of interests and *passions*, that the *will* of the people, when it is determined, permanent, and general, almost always at length prevails.

UPON THE WHOLE, IN THE SEVERAL PLANS WHICH HAVE BEEN SUGGESTED, OF AN EQUAL OR A REFORMED REPRESENTATION, IT WILL BE DIFFICULT TO DISCOVER ANY PROPOSAL THAT HAS A TENDENCY TO THROW MORE OF THE BUSINESS OF THE NATION INTO THE HOUSE OF COMMONS, OR TO COLLECT A SET OF MEN MORE FIT TO TRANSACT THAT BUSINESS, OR IN GENERAL MORE INTERESTED IN THE NATIONAL HAPPINESS AND PROSPERITY.

One consequence, however, may be expected from these projects, namely, “*less flexibility to the INFLUENCE OF THE CROWN.*”—And since the *diminution* of this influence, is the *secret*, and perhaps the *sole design* of the various schemes that have been produced, whether for *regulating the elections*, *contracting the duration*, or for *purifying the constitution of parliament* by the *exclusion of placemen and pensioners*; it is obvious to remark, that the more *apt* and *natural*, as well as the more *safe*

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and *quiet way* of attaining the *same end*, would be by a *direct reduction* of the *patronage of the crown*, which might be effected to a *certain extent* without *hazarding farther consequences*.—Superfluous and exorbitant emoluments of office may not only be *suppressed* for the present; but provisions of law be devised, which should for the future restrain within certain limits, the *number and value* of the offices in the *donation of the king*.

But whilst we dispute concerning *different schemes of reformation*, all directed to the *same end*, a previous *doubt* occurs in the debate, whether the *end itself be good, or safe*—whether the *influence so loudly complained of can be destroyed, or even much diminished, without danger to the state*.

Whilst the *zeal* of some men beholds *this influence* with a *jealousy*, which nothing but its *entire abolition* can appease, many *wise and virtuous politicians* deem a *considerable portion of it* to be as *necessary a part of the British constitution*, as any other ingredient in the *composition*—to be that, indeed, which gives *cohesion and solidity* to the whole.—Were the *measures of government*, say they, *opposed from nothing but principle*, government ought to have *nothing but the rectitude of its measures to support them*; but since *opposition* springs
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from *other motives*, government must possess an *influence* to *counteract these motives*; to produce, not a *bias* of the passions, but a *neutrality*: it must have *some weight* to cast into the scale to set the balance even.

It is the nature of ambition always to press upon the boundaries which confine it.—LICENTIOUSNESS, FACTION, ENVY, IMPATIENCE OF CONTROL OR INFERIORITY; THE SECRET PLEASURE OF MORTIFYING THE GREAT, OR THE HOPE OF DISPOSSESSING THEM; A CONSTANT WILLINGNESS TO QUESTION AND THWART WHATEVER IS DICTATED OR EVEN PROPOSED BY ANOTHER; A DISPOSITION COMMON TO ALL BODIES OF MEN TO EXTEND THE CLAIMS AND AUTHORITY OF THEIR ORDER; ABOVE ALL, THAT LOVE OF POWER AND OF SHOWING IT, WHICH RESIDES MORE OR LESS IN EVERY HUMAN BREAST, AND WHICH, IN POPULAR ASSEMBLIES, IS INFLAMED, LIKE EVERY OTHER PASSION, BY COMMUNICATION AND ENCOURAGEMENT: these motives, added to *private* designs and resentments, *cherished* also by popular acclamation, and operating upon the great share of power already possessed by the house of commons, might *induce a majority*, or at least a *large party* of men in that assembly, to *unite* in endeavouring to

draw to themselves the whole government of the state; or at least so to obstruct the conduct of public affairs, by a wanton and perverse opposition, as to render it impossible for the wisest statesman to carry forwards the business of the nation with success or satisfaction.

Some passages of our national history afford grounds for these apprehensions.—Before the accession of James the First, or, at least, during the reigns of his three immediate predecessors, the government of England was a government by force; that is, the king carried his measures in parliament by INTIMIDATION.—A sense of personal danger kept the members of the house of commons in subjection.—A conjunction of fortunate causes delivered at last the parliament and nation from slavery.—That overbearing system, which had declined in the hands of James, expired early in the reign of his son.—After the restoration there succeeded in its place, and since the revolution has been methodically pursued, the more successful expedient of INFLUENCE.—Now we remember what passed *between* the loss of terror, and the establishment of influence.—THE TRANSACTIONS OF THAT INTERVAL, WHATEVER WE MAY THINK OF THEIR OCCASION OR EFFECT, NO FRIEND OF REGAL GOVERNMENT WOULD WISH TO SEE REVIVED.

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But the affairs of this kingdom afford a more recent attestation to the same doctrine.—In the British colonies of NORTH AMERICA, the late assemblies possessed much of the power and constitution of *our house of commons*.—The king and government of Great Britain held *no patronage* in the country, which could create *attachment and influence* sufficient to *counteract* that *restless, arrogating spirit*, which in *popular assemblies*, when left to itself, will never brook an authority, that *checks and interferes with its own*.—To this cause, excited perhaps by some *unseasonable provocations*, we may attribute, as to their *true and proper original*, we will not say the *misfortunes*, but the *changes* that have taken place in the British empire.—The *admonition*, which such examples suggest, will have its weight with *those*, who are content with the *general frame of the English constitution*; and who consider *stability* amongst the *first perfections* of any government.

We *protest* however against any construction, by which what is here said shall be attempted to be applied to the *justification of BRIBERY*, or of any *clandestine reward or solicitation* whatever.—*The very secrecy of such negotiations confesses or begets a consciousness of guilt; which when the mind is once taught to endure without uneasiness,*
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the character is prepared for every compliance.—And there is the greater danger in these corrupt practices, as the extent of their operation is unlimited and unknown.—Our apology relates solely to that influence, which results from the acceptance or expectation of public preferments.

In political, above all other subjects, the arguments, or rather the conjectures on each side of a question, are often so equally poised, that the *wisest judgments* may be held in suspense.—*These I call subjects of INDIFFERENCE.*—But again, when the subject is not *indifferent in itself*, it will appear such to a great part of those to whom it is proposed, for want of information, or reflection, or experience, or of capacity to collect and weigh the reasons by which either side is supported.—*These are subjects of APPARENT INDIFFERENCE.*—This indifference occurs still more frequently in *personal contests*; in which we do not often discover any reason of public utility, for the *preference* of one competitor to another.—*These cases compose the province of influence*; that is, *the decision in these cases will inevitably be determined by influence of some sort or other.*—The only doubt is, what *influence* shall be admitted.—If you remove the influence of the *crown*, it is only to make way for *influence*

fluence from a different quarter.—If motives of *expectation* and *gratitude* be withdrawn, other *motives* will succeed in their place, acting probably in an *opposite direction*, but equally irrelative and external to the proper merits of the question.—There exist, as we have seen, *passions* in the *human heart*, which will always make a *strong party* against the *executive power* of a mixed government.—According as the disposition of parliament is *friendly* or *adverse* to the recommendation of the crown in matters which are *really* or *apparently indifferent*, as indifference hath been now explained, the business of empire will be transacted with *ease* and convenience, or *embarrassed* with *endless contention and difficulty*.—Nor is it a *conclusion founded in justice* or warranted by *experience*, that, because men are induced by views of interest to *yield their consent to measures*, concerning which their *judgment decides nothing*, they may be brought by the *same influence*, to act in *deliberate opposition to knowledge and duty*.

Whoever reviews the operations of government in this country since the revolution, will find *few* even of the most questionable measures of administration, about which the *best instructed judgment* might not have doubted at the time; but of which he may affirm with certainty,

certainly, *that they were indifferent to the greatest part of those who concurred in them.*—From the success or the facility, with which they who dealt out the patronage of the crown carried measures like these, *we ought not to conclude, that a similar application of honours and emoluments would procure the consent of parliament to councils evidently detrimental to the common welfare.*

Is there not, on the contrary, more reason to fear, that the prerogative, if deprived of influence, would not be long able to support itself?—For when we reflect upon the power of the house of commons to extort a compliance with its resolutions from the other parts of the legislature ; or to put to death the constitution by a refusal of the annual grants of money, to the support of the necessary functions of government—when we reflect also, what *motives* there are, which in the vicissitudes of political interests and passions, may one day arm and point this power against the executive magistrate—when we attend to these considerations, we shall be led perhaps to acknowledge, that there is not more of paradox than of truth, in that important but much decried apophthegm, —“ *that an independent parliament is incompatible with the existence of the monarchy.*”

SECT.

S E C T. XVIII.

THE DECLARATION OF OUR RIGHTS.

LIBERTY denotes a state of *freedom*, in contradistinction to *slavery* or *restraint*; and may be considered as either *natural* or *civil*.

The *absolute rights* of man, considered as a free agent, endowed with discernment to know good from evil, and with power of choosing those measures which appear to him to be most desirable, are usually summed up in one general appellation, and denominated the *natural liberty of mankind*.—This *natural liberty* consists properly in a power of acting as one thinks fit, without any restraint or controul, unless by the law of nature; being a right inherent in us by birth, and one of the gifts of God to man at his creation, when he endued him with the faculty of free-will.—But every man, when he enters into *society*, gives up a *part of his natural liberty*, as the *price* of so *valuable a purchase*; and, in consideration of receiving the advantages of mutual commerce, ob-

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liges himself to conform to those laws which the community has thought proper to establish. — And this species of *legal obedience* and conformity is infinitely more *desirable* than that *wild and savage liberty* which is *sacrificed* to obtain it. — *For no man, that considers a moment, would wish to retain the absolute and uncontrouled power of doing whatever he pleases; the consequence of which is that every other man would also have the same power; and then there would be no security to individuals in any of the enjoyments of life* ^a.

Political,

^a The poets in describing the state of nature have painted the golden age or the reign of SATURN. The seasons, in that first period were so temperate, if we credit these agreeable fictions, that there was no necessity for men to provide themselves with cloaths and houses, as a security against the violence of heat and cold: the rivers flowed with wine and milk: the oaks yielded honey; and nature spontaneously produced her greatest delicacies. Nor were these the chief advantages of that happy age. Tempests were not alone removed from nature; but those more furious tempests were unknown to human breasts, which now cause such uproar, and engender such confusion. Avarice, ambition, cruelty, selfishness, were never heard of: cordial affection, compassion, sympathy, were the only movements with which the mind was yet acquainted. Even the punctilious distinction of *mine* and *thine* was banished from among that happy race of mortals, and carried with it the very notion of property and obligation, justice and injustice.

It seems evident, that, in such a happy state, every other social virtue would flourish, and receive tenfold increase; but the cautious, jealous virtue of justice would never once have been dreamed of. *For what purpose make a partition of goods, where every one has already more than enough? Why give rise to property, where there cannot possibly be any injury? Why call this ob-*
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Political, therefore, or *civil liberty*, which is that of a member of society, is no other than *natural liberty*, so far *restrained* by human laws (and no *farther*) as is necessary and expedient for the *general advantage* of the public.

Hence we may collect, that the law, which restrains a man from doing mischief to his fellow citizens, though it diminishes the *natural*, increases the *civil liberty* of mankind: but every wanton and causeless restraint of the will of the subject, whether practised by a monarch, a nobility, or a popular assembly, *is a degree of tyranny*. —Nay, that even laws themselves, whether made with or without our consent, if they regulate and constrain our conduct in matters of mere indifference, without *any good end* in view, are laws destructive of liberty: whereas, if *any public advantage* can arise from observing such precepts, the *controul* of our *private inclinations*, in *one or two particular points*, will conduce to preserve our *general freedom* in others of more importance, by supporting that state of society which alone can secure our independence. —Thus the statute of

jeft *mine*, when, upon the seizing of it by another, I need but stretch out my hand to possess myself of what is equally valuable? Justice, in that case, being totally USELESS, would be an idle ceremonial, and could never possibly have place.

king EDWARD IV. which forbid the fine gentlemen of those times (under the degree of a lord) to wear *pikes* upon their shoes or boots of *more than two inches in length*, was a law that favoured of oppression ; because, however ridiculous the fashion then in use might appear, the restraining it by pecuniary penalties could serve no purpose of common utility.—But the statute of king CHARLES II. which prescribes a thing seemingly as indifferent, viz. a dress for the dead, who were all ordered to be *buried in woollen*, is a law consistent with public liberty ; for it encourages the staple trade, on which in great measure depends the universal good of the nation.

So that laws, when prudently framed, are by no means subversive, but rather introductive, of liberty ; for (as Mr. LOCKE has well observed) where there is no law there is no freedom.—But then, on the other hand, that constitution or frame of government, that system of laws, is alone calculated to maintain civil liberty, which leaves the subject entire master of his own conduct, except in those points, wherein the public good requires some direction or restraint.

THE IDEA AND PRACTICE OF THIS POLITICAL OR
CIVIL LIBERTY FLOURISH IN THEIR HIGHEST VI-
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GOUR IN THESE KINGDOMS, WHERE IT FALLS LITTLE SHORT OF PERFECTION, AND CAN ONLY BE LOST OR DESTROYED BY THE FOLLY OR DEMERITS OF ITS OWNER ; the *legislature*, and of course the *laws of Britain*, being peculiarly adapted to the *preservation* of this *inestimable blessing* even in the *meanest subject*.

This spirit of liberty is so deeply implanted in our constitution, and rooted even in our very soil, that a slave or a negro, the moment he lands in BRITAIN, falls under the protection of the laws, and becomes so far a freeman.

Very different from the modern constitutions of other states on the continent of Europe, and from the genius of the imperial law ; which in general are calculated to vest an arbitrary and despotic power, of controuling the actions of the subject, in the prince, or in a few grandees.

The ABSOLUTE RIGHTS of every Briton (which, taken in a political and extensive sense, are usually called their *liberties*), as they are founded on nature and reason, so they are coeval with our form of government ; though subject at times to *fluctuate* and *change*, their establishment (excellent as it is) being still *human*.—At some times we have seen them depressed by *overbearing and tyrannical princes* ; at others, so luxuriant as even to
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tend to *anarchy, a worse state than tyranny itself*, as any government is better than none at all.—But the *vigour* of our *free constitution* has always delivered *the nation* from these embarrassments : and, as soon as the convulsions consequent on the struggle have been over, the *balance* of our rights and liberties has settled to its *proper level*; and *their fundamental articles* have been from time to time *asserted in parliament*, as often as they were thought to be in danger :

First, by the GREAT CHARTER OF LIBERTIES, which was obtained, sword in hand, from King JOHN, and afterwards, with some alterations, confirmed in parliament by King HENRY III. his son.—Which charter contained very few new grants ; but, as Sir Edward Coke observes, was for the most part declaratory of the principal grounds of the fundamental laws of England.

Afterwards, by the statute called CONFIRMATIO CARTARUM, whereby the great charter is directed to be allowed as the common law ; all judgments contrary to it are declared void ; copies of it are ordered to be sent to all cathedral churches, and read twice a year to the people ; and sentence of excommunication is directed to be as constantly denounced against all those
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that by word, deed, or counsel, act contrary thereto, or in any degree infringe it.

Next by a multitude of subsequent corroborating statutes (Sir Edward Coke reckons thirty-two), from the FIRST EDWARD to HENRY IV.

Then, after a long interval, by THE PETITION OF RIGHT ; which was a *parliamentary declaration of the liberties of the people*, assented to by King CHARLES I. in the beginning of his reign.—Which was closely followed by the still more ample concessions made by that unhappy prince to his parliament, before the fatal rupture between them ; and by the many salutary laws, particularly the *habeas corpus* act, passed under CHARLES II.

To these succeeded THE BILL OF RIGHTS, or declaration delivered by the *lords and commons* to the PRINCE and PRINCESS OF ORANGE, 13th of February, 1688 ; and afterwards enacted in parliament, when they became king and queen : which declaration concludes in these remarkable words : “ *and they do claim, demand, and insist upon, all and singular the premises, as their undoubted rights and liberties.* ”—And the act of parliament itself recognises “ *all and singular the rights and liberties asserted and claimed in the said declaration to be the true,*

ancient, and indubitable rights of the people of this kingdom."

Lastly, these liberties were again asserted at the commencement of the present century, in the ACT OF SETTLEMENT, whereby the crown was limited to his present Majesty's illustrious house : and some new provisions were added, at the same fortunate era, for better securing our *religion, laws, and liberties* ; which the statute declares to be "*the birthright of the people of England*," according to the ancient doctrine of the common law.

Thus much for the *declaration* of our *rights and liberties*.—The *rights themselves*, thus defined by these several statutes, *consist* in the number of *private immunities* ; which will appear, from what has been premised, to be indeed no other, than either *that residuum* of *natural liberty*, which is not required by the laws of society to be sacrificed to public convenience ; or else those civil privileges, which society hath engaged to provide, in lieu of the natural liberties so given up by individuals.

These therefore were formerly, either by inheritance or purchase, the rights of all mankind ; but, in most other countries of the world, being now more or less debased and destroyed, they at present may be said to remain,

remain, in a peculiar and emphatical manner, THE RIGHTS OF THE PEOPLE OF BRITAIN.—And these may be reduced to *three* principal or primary articles; THE RIGHT OF PERSONAL SECURITY, THE RIGHT OF PERSONAL LIBERTY, AND THE RIGHT OF PRIVATE PROPERTY: because, as there is no other known method of compulsion, or of abridging man's natural free-will, but by an infringement or diminution of one or other of these important rights, the preservation of these inviolate may justly be said to include the preservation of our civil immunities in their largest and most extensive sense.

In vain, however, would these rights be declared, ascertained, and protected by the *dead letter of the law*, if the constitution had provided *no other method* to secure their actual enjoyment.—It has therefore established certain other *auxiliary subordinate rights* of the subject, which *serve* principally as barriers to *protect* and *maintain inviolate* the *three great and primary* rights, of *personal security, personal liberty, and private property*.—These are,

1. THE CONSTITUTION, POWERS, AND PRIVILEGES OF PARLIAMENT.

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2. THE LIMITATION OF THE KING'S PREROGATIVE, by bounds so certain and notorious, that it is impossible he should exceed them without the consent of the people.

The former of these keeps the *legislative power* in due health and vigour, so as to make it *improbable that laws should be enacted destructive of general liberty*: the latter is a guard upon the *executive power*, by restraining it from acting either beyond or in contradiction to the laws that are framed and established by the other.

3. A third subordinate right of every Briton is that of applying to the courts of justice for REDRESS OF INJURIES.

Since the law is, in this realm, *the supreme arbiter of every man's life, liberty, and property*, courts of justice must at all times be open to the subject, and the law be duly administered therein.—The emphatical words of *magna charta*, spoken in the person of the king, who in judgment of law (says SIR EDWARD COKE) is ever present and repeating them in all his courts, are these: *Nulli vendemus, nulli negabimus, aut differemus rectum vel justitiam*^a; “and therefore every subject (continues the same learned author), for injury done to him in

^a See the end of this paragraph.

bonis, in terris, vel persona ^a, by any other subject, be he ecclesiastical or temporal, without any exception, may take his remedy by the course of the law, and have justice and right for the injury done to him, *freely without sale, fully without any denial, and speedily without delay.*”

It were endless to enumerate all the *affirmative* acts of parliament, wherein *justice* is directed to be done *according to the law of the land*: and what that law is, every subject knows, or may know if he pleases; for it *depends not upon the arbitrary will of any judge; but is permanent, fixed, and unchangeable, unless by authority of parliament* ^b.

We shall however just mention a few *negative* statutes, whereby abuses, perversions, or delays of justice, especially by the *prerogative*, are restrained.—It is ordained by *magna charta*, that no freeman shall be outlawed, that is, put out of the protection and benefit of the laws, but according to the law of the land.—By 2 EDW. III. c. 8. and 11 RIC. II. c. 10. it is enacted, *that no commands or letters shall be sent under the great*

^a In goods, in lands, or in person.

^b *Parliament knows not the individuals upon whom its acts will operate; it has no cases or parties before it; no private designs to serve: consequently its resolutions will be suggested by the consideration of universal effects and tendencies, which always produce impartial, and commonly advantageous regulations.*

seal, or the little seal, the signet or privy seal, in disturbance of the law, or to disturb or delay common right: and, though such commandments should come, the judges shall not cease to do right: which is also made a part of their oath by statute 18 EDW. III. ft. 4.—And by 1 W. & M. ft. 2. c. 2, it is declared, that the pretended power of suspending or dispensing with laws, or the execution of laws, by regal authority without consent of parliament, is illegal^a.

Not

^a *To render the security of our rights still more perfect the judges, who, before the revolution, held their offices during the pleasure of the king, can now only be deprived of them by an address from both houses of parliament; as the most regular, solemn, and authentic way, by which the dissatisfaction of the people can be expressed.—To make this independency of the judges complete, the public salaries of their office are not only certain both in amount and continuance, but so liberal as to secure their integrity from the temptation of secret bribes: which liberality answers also the farther purpose of preserving their jurisdiction from contempt, and their characters from suspicion; as well as that of rendering the office worthy of the ambition of men of eminence in their profession.*

The number of the judges is also in this country small.—For, beside that the violence and tumult inseparable from large assemblies are inconsistent with the patience, method, and attention, requisite in judicial investigations; beside that all passions and prejudices act with augmented force upon a collected multitude; beside these objections, judges when they are numerous divide the shame of an unjust determination; they shelter themselves under one another's example; each man thinks his own character hid in the crowd: for which reason the judges ought always to be so few, as that the conduct of each may be conspicuous to public observation; that each may be responsible in his separate and particular reputation for the decisions in which he concurs.

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Not only the substantial part, or judicial decisions, of the law, but also the *formal part*, or *method of proceeding*, cannot be altered but by parliament: for, if once those outworks were demolished, there would be an inlet to all manner of innovation in the body of the law itself.—The king, it is true, may erect new courts of justice; but then they must proceed according to the old established forms of the common law.—For which reason it is declared in the statute of 16 CAR. I. c. 10,

The proceedings are also carried on *in public*; *apertis foribus*; not only before a *promiscuous concourse* of bystanders, but *in the audience* of the *whole profession of the law*.—The opinion of the bar concerning what passes will be *impartial*; and will commonly guide that of the public.—The *most corrupt judge* will *fear to indulge his dishonest wishes* in the *presence of such an assembly*: he must encounter what few can support, the *censure of his equals and companions*, together with the *indignation and reproaches of his country*.

The law of England, by its *circuit or itinerary courts*, contains an excellent provision for the distribution of private justice.—*As the presiding magistrate comes into the country a stranger to its prejudices, rivalships, and connections, he brings with him none of those attachments and regards, which are so apt to pervert the course of justice, when the parties and the judges inhabit the same neighbourhood.* Again, as this magistrate is usually one of the judges of the supreme tribunals of the kingdom, and has passed his life in the study and administration of the laws, he possesses, it may be presumed, those professional qualifications, which befit the dignity and importance of his station. Lastly, as both he, and the *advocates* who accompany him in his circuit, are employed in the business of those *superior courts* (to which also their proceedings are amenable), they will naturally conduct themselves by the rules of adjudication, which they have applied, or learnt *there*: and by this means maintain, what constitutes a principal *perfection of civil government, one law of the land in every part and district of the empire.*

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upon the dissolution of the court of star-chamber, *that neither his majesty, nor his privy council, have any jurisdiction, power, or authority, by English bill, petition, articles, libel* (which were the course of proceeding in the star-chamber, borrowed from the civil law), *or by any other arbitrary way whatsoever, to examine, or draw into question, determine, or dispose of the lands or goods of any subjects of this kingdom ; but that the same ought to be tried and determined in the ordinary courts of justice, and by* COURSE OF LAW ^a.

4. If there should happen any uncommon injury, or infringement of the rights before mentioned, which the ordinary course of law is too deficient to reach, there still remains a fourth subordinate right, appertaining to every individual, namely, THE RIGHT OF PETITION-

^a The construction of English courts of law, in which causes are tried by a jury with the assistance of a judge, combines the two species together with peculiar success. This admirable contrivance unites the wisdom of a fixed with the integrity of a casual judicature, and avoids, in a great measure, the inconveniencies of both. The judge imparts to the jury the benefit of his erudition and experience ; the jury, by their disinterestedness, check any corrupt partialities which previous application may have produced in the judge.—If the determination was left to the judge, the party might suffer under the superior interest of his adversary : if it was left to an uninstructed jury, his rights would be in still greater danger from the ignorance of those who were to decide upon them.—The present wise admixture of chance and choice in the constitution of the court, in which his cause is tried, guards him equally against the fear of injury from either of these causes.

ING the king, or either house of parliament, for the redress of grievances ^a.

IN RUSSIA we are told, that the Czar Peter established a law, that no subject might petition the throne till he had first petitioned two different ministers of state. In case he obtained justice from neither, he might then present a third petition to the prince ; *but upon pain of*

^a But, lastly, if several courts co-ordinate, to, and independent of each other, subsist together in the country, it seems necessary that the appeals from all of them should meet and terminate in the same judicature; in order that one *supreme tribunal*, by whose final sentence all others are bound and concluded, may superintend and preside over the rest.—This constitution is necessary for two purposes—to preserve an uniformity in the decisions of inferior courts, and to maintain to each the proper limits of its jurisdiction.—Without a common superior, different courts might establish *contradictory* rules of adjudication, and the *contradiction* be *final* and *without remedy*; the *same question* might receive *opposite determinations*, according as it was brought before one court or another, and the determination in each be ultimate and irreverfible.

A POLITICIAN, WHO SHOULD SIT DOWN TO DELINEATE A PLAN FOR THE DISPENSATION OF PUBLIC JUSTICE, GUARDED AGAINST ALL ACCESS TO INFLUENCE AND CORRUPTION, AND BRINGING TOGETHER THE SEPARATE ADVANTAGES OF KNOWLEDGE AND IMPARTIALITY, WOULD FIND, WHEN HE HAD DONE, THAT HE HAD BEEN TRANSCRIBING THE JUDICIAL CONSTITUTION OF ENGLAND. AND IT MAY TEACH THE MOST DISCONTENTED AMONGST US TO ACQUIESCE IN THE GOVERNMENT OF HIS COUNTRY, TO REFLECT, THAT THE PURE, AND WISE, AND EQUAL ADMINISTRATION OF THE LAWS, FORMS THE FIRST END AND BLESSING OF SOCIAL UNION; AND THAT THIS BLESSING IS ENJOYED BY HIM IN A PERFECTION, WHICH HE WILL SEEK IN VAIN, IN ANY OTHER NATION OF THE WORLD.

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death, if found to be in the wrong.—The consequence of which was, that no one dared to offer such third petition ; and grievances seldom falling under the notice of the sovereign, he had little opportunity to redress them.—The *restrictions*, for some there are, which are laid upon petitioning IN BRITAIN, are of a nature *extremely different* ; and while they promote *the spirit of peace*, they are *no check* upon that of *liberty*.—Care only must be taken, lest, under the pretence of petitioning, the subject be guilty of any riot or tumult ; as happened in the opening of the memorable parliament in 1640 ; and, to prevent this, it is provided by the statute 13 CAR. II. ft. 1, c. 5, that *no petition* to the king, or either house of parliament, for any alteration in church or state, *shall be signed by above twenty persons*, unless the matter thereof be approved by three justices of the peace, or the major part of the grand jury, in the country ; and in London, by the lord mayor, aldermen, and common-council ; *nor shall any petition be presented by more than ten persons at a time*.—But under these regulations, it is declared by the statute 1 W. & M. ft. 2, c. 2, that the subject hath a *right to petition* ; and that all commitments and prosecutions for such petitioning are illegal.

5. The fifth and last auxiliary right of the subject, that we shall at present mention, is that OF HAVING ARMS FOR THEIR DEFENCE, suitable to their condition and degree, and such as are allowed by law.—Which is also declared by the same statute, 1 W. & M. ft. 2, c. 2, and is indeed a public allowance, under due restrictions, of the natural right of resistance and self-preservation, when the sanctions of society and laws are found insufficient to restrain the violence of oppression.

In these several articles consist the *rights*, or, as they are frequently termed, *the liberties of Britons*: *liberties* more generally *talked of* than thoroughly *understood*; and yet highly *necessary* to be perfectly *known* and *considered* by every man of rank or property, lest his *ignorance* of the points whereon they are founded should hurry him into *faction* and *licentiousness* on the one hand, or a *pusillanimous indifference* and *criminal submission* on the other.—And we have seen that these rights consist, primarily, in the free enjoyment of PERSONAL SECURITY, of PERSONAL LIBERTY, and of PRIVATE PROPERTY.

So long as these remain inviolate, the subject is perfectly free; for every species of compulsive tyranny and op-

pression must act in opposition to one or other of these rights, having no other object upon which it can possibly be employed.

To preserve these from violation, it is necessary that the constitution of parliaments be supported in its full vigour ; and limits, certainly known, be set to the royal prerogative. —And lastly, to vindicate these rights, when actually violated or attacked, the subjects of Britain are entitled, in the first place, to the regular administration and free course of justice in the courts of law ; next, to the right of petitioning the king and parliament for redress of grievances ; and lastly, to the right of having and using arms for self-preservation and defence.

And all these rights and liberties it is our birthright to enjoy entire ; unless where the laws of our country have laid them under necessary restraints ; restraints in themselves so gentle and moderate, as will appear, upon farther inquiry, that no man of sense or probity would wish to see them slackened.—For all of us have it in our choice to do every thing that a good man would desire to do ; and are restrained from nothing, but what would be pernicious either to ourselves or our fellow citizens.—So
THAT THIS REVIEW OF OUR SITUATION MAY FULLY
JUSTIFY THE OBSERVATION OF A LEARNED FRENCH

AUTHOR, WHO INDEED GENERALLY BOTH THOUGHT
AND WROTE IN THE SPIRIT OF GENUINE FREEDOM ;
AND WHO HATH NOT SCRUPLED TO PROFESS, EVEN
IN THE VERY BOSOM OF HIS NATIVE COUNTRY, THAT
THE BRITISH IS THE ONLY NATION IN THE WORLD,
WHERE POLITICAL OR CIVIL LIBERTY IS THE DI-
RECT END OF ITS CONSTITUTION ^a.

^a Blackstone.

S E C T. XIX.

ON THE LIBERTY OF THE PRESS.

THE *liberty of the press*, however, so essential to the nature of a free state, consists not in *freedom from censure* for any *criminal matter* that may be published, but in having *no previous restraints* laid upon publications.—*Every freeman has undoubtedly a right to lay what sentiments he pleases before the public* ; to forbid this, is to destroy the freedom of the press : but if he publishes what is *improper, mischievous, or illegal*, he must take the consequence of his own temerity.—To subject the press to the restrictive power of a *licenser*, is to subject all freedom of sentiment to the *prejudices of one man*, and make him the arbitrary and infallible judge of all controverted points in learning, religion, and government.—*But to punish (as the law does at present) any dangerous or offensive writings which, when published, shall, on a fair and impartial trial, be adjudged of a pernicious tendency, is necessary for the preservation of peace and good order, of*
government

government and religion, the only solid foundations of civil liberty.—Thus the *will* of individuals is still left *free*; the *abuse* only of that *free-will* is the object of legal punishment.—Neither is any restraint hereby laid upon freedom of thought or inquiry; liberty of private sentiment is still left; the disseminating or making public of *bad sentiments*, destructive of the ends of society, is the crime which society corrects.—*A man (says a fine writer on this subject)* MAY BE ALLOWED TO KEEP POISONS IN HIS CLOSET, BUT NOT PUBLICLY TO VEND THEM AS CORDIALS.—And to this we may add, that the only plausible argument heretofore used for restraining the *just freedom* of the press, “that it was necessary to prevent the daily abuse of it,” will intirely lose its force, when it is shown (by a seasonable exertion of the laws) that the press cannot be abused to any *bad purpose* without incurring a suitable punishment: whereas it can never be used to any *good one* when under the controul of an inspector.—*So true will it be found, that to censure the licentiousness, is to maintain the liberty of the press* ^a.

^a Blackstone.

S E C T. XX.

ON POPULAR DISCONTENT.

THERE is inseparably annexed to our very nature and constitution, a certain unaccountable *restlessness* of mind, and thought, which makes us unsatisfied with what we at present possess and enjoy, and rave after something past or to come, which ever troubles, and corrupts, the pleasures of our senses, and of our imaginations, the enjoyments of our fortunes, or the best production of our reason, and thereby the content and happiness of our lives.

This is the true, natural, and common source of such personal dissatisfactions, such domestic complaints, and such *popular discontents*, as afflict not only our private lives, conditions, and fortunes, but even our *civil states* and governments, and thereby consummates the particular and general infelicity of mankind; which is enough complained of by all that consider it in common actions and passions of life, *but much more in the factions,*

factions, seditions, convulsions, and fatal revolutions that have so frequently, and in all ages, attended all, or most of the governments in the world.

THIS RESTLESS HUMOUR, so general and natural to mankind, is a weed that grows in all soils and under all climates, but seems to thrive most, and grow fastest in *the best*.—From *this original fountain* issue those streams of faction, that with the course of time and accident, overflow *the wisest constitutions of governments and laws*, and many times make men treat the best princes and truest patriots, like the worst tyrants and most seditious disturbers of their country, and bring such men to scaffolds, that deserved statues, to violent and untimely deaths, that were worthy of the longest and the happiest lives.—If such only as PHALARIS and AGATHOCLES, as MARIUS and CATILINE, had fallen victims to faction, or to popular rage, we should have little to wonder or complain at, but we find the wisest, the best of men, have been sacrificed to the same idols.—SOLON and PYTHAGORAS have been allowed as such in their own and succeeding ages; and yet the *one* was banished and the other murdered by faction, which two ambitious men had raised in commonwealths, which those two wise and excellent men themselves had framed.—SCIPIO
and

and HANIBAL, the greatest and most glorious captains of their own, or perhaps any other age, and the best servants of their respective commonwealths, were *banished* and *disgraced* by the factions of their countries: and to come nearer home, BARNEVOLT and DE WIT in *Holland*, Sir THOMAS MOORE, and the Earl of ESSEX, and Sir WALTER RALEIGH, in *England*, men esteemed the most extraordinary of their time, fell all *bloody sacrifices* to the factions of their courts or their countries.

There is no theme so large and so easy, no discourse so common and so plausible, as the faults or corruptions of governments, the miscarriages or complaints of magistrates; none so easily received, and spread, even among good and well-meaning men, none so enviously raised, and employed so ill, nor turned to a worse or more disguised end.—No GOVERNMENTS, NO TIMES WERE EVER FREE FROM THEM, NOR EVER WILL BE FREE, TILL ALL MEN ARE WISE, GOOD, AND EASILY CONTENTED.—NO CIVIL OR POLITICAL CONSTITUTION CAN BE PERFECT OR SECURE, WHILST THEY ARE COMPOSED OF MEN, WHO ARE FOR THE MOST PART PASSIONATE, INTERESTED, UNJUST, OR UNTHINKING, GENERALLY AND NATURALLY RESTLESS, AND UNQUIET;
DISCONTENTED

DISCONTENTED WITH THE PRESENT, OR WHAT THEY HAVE, RAVING AFTER THE FUTURE, OR SOMETHING THEY WANT, AND THEREBY EVER DISPOSED AND DESIROUS TO CHANGE.

Another cause of distempers in states, and *discontents* under all governments, is *the unequal condition* that must necessarily fall to the share of so many and such different men that compose them.—In great multitudes, *few* in comparison are born to great titles or great estates; *few* can be called to public charges and employments of dignity, or power, and *few* by their industry and conduct arrive at great degrees of wealth and fortune; and every one speaks of *the fair as his own market goes in it*.—All are easily satisfied with *themselves*, and their own merit, though they are not so with *their fortune*; and, when they see others in *better condition* whom they esteem *less deserving*, they lay it upon the *ill constitution of things*, the *partiality or humour of princes*, the *negligence or corruption of ministers*.

The common sort of people who have any leisure to think always find fault with *the times*, and some must have reason, for the merchant gains by *peace*, and the soldier by *war*; the shepherd by *wet seasons*, and the ploughman by *dry*: when the city *fills*, the country

grows *empty*; and while trade *increases* in one place, it *decays* in another.—In such variety and courses of life, men's designs and interests must be opposite to one another, and both cannot succeed alike: whether the winner laughs or no, *the loser will complain*, and rather than quarrel with *himself*, will abuse the dice, or those he plays with.—*When any body is angry, some one must be blamed*; and those reasons which cannot be *remedied*, those accidents that could not be *prevented*, those miscarriages that no one could *foresee*, will be then laid upon *the government*, and whether right or wrong, will have the same effect of raising or increasing the COMMON and POPULAR DISCONTENTS.

In all states there is one universal division, which is the separation of the *innocent* from the *criminal*; or between such as are in some measure *contented* with what they possess by inheritance, or what they expect from their own abilities, industry, or parsimony; and those who are *dissatisfied* with what they have, and not trusting to those innocent ways of acquiring more, must fall to others, and pass from just to unjust, from peaceable to violent.

The *first* desire safety, and to keep what they have; the *second* are content with dangers, in hopes to get
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what others legally possess: *one* loves the present state and government, and endeavours to secure it; the *other* desires to end this game, and shuffle for a new: *one* loves fixed laws, and the *other* an unsettled power; yet the last, when they have gained *enough* by factions and disorders, by rapine and violence, come then to change *their principles* with *their fortunes*, and grow friends to established order and fixed laws.—So the NORMANS of old, when they had divided the spoils of the English lands and possessions, grew bold defenders of the common law of the land.—So of later days, it was observed, that CROMWELL's *officers* in the army, who were the first *for burning records*, for *levelling of lands*, while they had none of their own; yet when afterwards they were grown rich and landed men, they fell into the praise of the *English laws*, and cried up the *magna charta* as *our ancestors had done before with a much better grace*.

Could we suppose a body politic framed *perfect* in its first conception or institution; yet, if *the administration* be ill, ignorant, or corrupt, too rigid, or too remiss, too negligent, or severe, these may justly occasion for *the present* some *discontent*.—Yet this is an evil, to which all sublunary things are subject, not only by accident, but even by natural dispositions, and which can

hardly be altered.—This it is however that makes the first and universal default of all governments ; and this made the philosophers of old, instead of seeking or accepting the public magistracies or offices of their countries, employ their time and care to *improve* men's reasons, to *temper* their affections, to *allay* their passions, to *discover* the vanity, or the pride, and ambition, of riches, and power ; believing *the only way to make their countries happy and free, was to make men wise and good, just and reasonable.*—But as *nature* will be ever superior to *art*, so these excellent men have succeeded but little in their design, and left the world just as they found it, ever unquiet and unstable.

How can a prince always chuse well such as he employs, when men's *dispositions* are so *easily mistaken*, and *their abilities* too ? How deceitful are *appearances* ? How *false* are men's *professions* ? How *hidden* are their *hearts* ? How *disguised* their *principles* ? How *uncertain* their *humours* ?

Many men are good and esteemed when they are *private*, ill-disposed and hated when *in office* ; honest and contented when they are *poor*, covetous and violent when they grow *rich* : they are *bold* one day, and *cautious* another ; *active* at one time of their lives, and *lazy* the

the rest; sometimes pursue their *ambition*, and sometimes their *pleasure*; nay, among soldiers, some are *brave* one day, and *cowards* another, as great captains have related on their own experience and observation. Gravity often passes for wisdom, *wit* for ability; what men say for what they *think*, and *boldness of talk*, for *boldness of heart*.—Nothing is so commonly *mistaken* as *vulgar opinion*; and many men come out, when they come into great and public employments, the weakness of whose heads or hearts would never have been discovered, if they had kept within their private sphere of life.

Besides, princes cannot run into every corner of their dominions, to look out for persons fit for the service of the public: they cannot see far with their own eyes, nor hear with their ears; and must for the most part do both with *those of other men*, or else chuse among such smaller numbers as are *most in their way*; and *these are such*, generally, as make their court, or give their attendance, in order to advance themselves to honours, to fortunes, to places, and employments; and are usually the least worthy of them, and better servants to themselves than the government.—The needy, the ambitious, the half-witted, the proud, the covetous, are ever restless to get into public employments,

employments, and many others that are uneasy or ill entertained at home.—The forward, the busy, the bold, the sufficient, pursue their game with more passion, endeavour, application, and thereby often succeed where better men would fail.—In the course of my observation I have found no talent of so much advantage among men, towards their growing great or rich, as a violent and restless passion; for whoever sets his heart and thoughts wholly upon some one thing must have very little wit, or very little luck, to fail.—Yet all these cover their ends with most worthy pretences, and those noble sayings, “ MEN ARE NOT BORN FOR THEMSELVES, AND MUST SACRIFICE THEIR LIVES FOR THE PUBLIC, AS WELL AS THEIR TIME AND THEIR HEALTH :” and those who think nothing less are so used to say such fine things, that such who truly believe them are almost ashamed to own it.—In the mean time, the noble, the wise, the rich, the modest, those easy in their conditions or their minds, those who know most of the world and themselves, are not only careless, but often averse from entering into public charges or employments, unless upon the necessities of their country, the commands of their prince, or the instances of their friends.—What is to be done in this case, when such as offer themselves, and pursue, are not worth having, and

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such as are most worthy will *neither offer, nor perhaps accept.*

When, upon this occasion, complaints and discontents are sown among *well meaning men*, they are sure to be cultivated by *others* that are ill-intentioned and interested, and who cover their own ends under those of the public, and, by the good and service of the nation, mean nothing but their own.—The practice begins of knaves and fools, of artificial and crafty men upon the simple and the good; these easily follow, and are caught, while the others lay the trains, and pursue a game, wherein they design no other share, than of *toil and danger* to their company, but the *gain* wholly to themselves.—*They blow up sparks wherever they find the stubble is dry: they find out miscarriages wherever they are, and forge them often where they are not; they find fault first with the persons in office, and then with the prince or state*^a; sometimes with the execution of laws, and
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^a It is but a *foolish wisdom*, which is so carefully displayed, in undervaluing *princes*, and placing them on a level with the meanest of mankind.—To be sure, an *anatomist* finds no more in the *greatest monarch* than in the *lowest peasant or day-labourer*; and a *moralist* may, perhaps, frequently find less. But what do all these reflections *tend to*?—We, all of us, *still* retain these prejudices in favour of birth and family; and neither in our serious occupations, nor most careless amusements, can we ever get intirely rid of them.—A
tragedy,

at other times with the institutions, how ancient and sacred soever.—They make alarms pass for actual dangers, and appearances for truth; represent misfortunes for faults, and mole-hills for mountains; and by the persuasion of the vulgar, and pretences of patriots, or lovers of their country, at the same time that they undermine the credit and authority of the government, they set up their own.—This raises a faction between those subjects that would support government, and those that would ruin it; or rather between those that possess honors and advantages of it, and those that, UNDER THE PRETENCE OF REFORMING, design only or chiefly to change the hands it is in, and care little what becomes of the rest.

When this fire is kindled, both sides inflame it; all care of *the public* is laid aside, and nothing is pursued but *the interest of the factious* ^a; all regard of merit is lost in persons,

tragedy, that should represent the adventures of *porters*, would presently disgust us; but one that introduces *kings* and *princes*, acquires in our eyes an air of importance and dignity.—Or should a man be able, by his superior wisdom, to get intirely above such prepossessions, he would soon, by means of the same wisdom, again bring himself down to them, for the sake of society, whose welfare he would perceive to be intimately connected with them.—Far from endeavouring to undeceive the people in this particular, he would cherish such sentiments of reverence to their princes, as requisite to preserve a due subordination in society.

^a Of all men, that distinguish themselves by memorable atchievements, the first place of honour seems due to LEGISLATORS and FOUNDERS OF STATES, who

persons *employed*, and those *only* are chosen, that are *true to THE PARTY* ; and the only talent required is, to be *hot*, to be *heady*, to be true to the side he is on.—When

who transmit a *system of laws and institutions* to secure the *peace, happiness, and liberty* of future generations.—The influence of useful inventions in the arts and sciences may, perhaps, extend farther than that of wise laws, whose effects are limited both in time and place ; but the benefit arising from the former, is not so sensible as that which results from the latter.—Speculative sciences do, indeed, improve the mind ; but this advantage reaches only to a few persons, who have leisure to apply themselves to them.—And as to practical arts, which increase the *commodities and enjoyments* of life, it is well known, that *men's happiness* consists not so much in an *abundance* of these, as in the *peace and security with which they possess them* ; and those *blessings* can only be derived from *good government*.—Not to mention, that general virtue and good morals in a state, which are so requisite to happiness, can never arise from the most refined precepts of philosophy, or even the severest injunctions of religion ; but must proceed intirely from the *virtuous education of youth*, the effect of *wise laws and institutions*.

As much as LEGISLATORS and founders of states ought to be honoured and respected among men, as much ought the founders of sects and factions to be detested and hated ; because the influence of faction is directly contrary to that of laws. Factions subvert government, render laws impotent, and beget the fiercest animosities among men of the same nation, who ought to give mutual assistance and protection to each other.—And what should render the founders of parties more odious is, the difficulty of extirpating these weeds, when once they have taken root in any state.—They naturally propagate themselves for many centuries, and seldom end but by the total dissolution of that government, in which they are sown.—*They are, besides, plants which grow most plentifully in the richest soil ;* and though absolute governments be not intirely free from them, it must be confessed, that they rise more easily, and propagate themselves faster in *free governments*, where they always infect the legislature itself, which alone could be able, by the steady application of rewards and punishments, to eradicate them.

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these storms are raised, the *wise* and *good* are intirely laid aside or retire of themselves, and leave the scene to such as are more active and eager to get upon the stage.

From these seeds grow popular commotions, and at last seditions, which so often end in some fatal periods of *the best governments*.—I cannot leave this subject of *popular discontents* without reflecting and bewailing, *how much* and *how often* our country has been infested by them; how they have ravaged and defaced *the noblest island of the world*, and which seems, *from the happy situation, the temper of climate, the fertility of soil, the numbers and native courage of the inhabitants, to have been destined by God and nature, for the greatest happiness, or security at home, and to give laws, or balance at least, to all their neighbours abroad.*

Upon a clear survey of these dispositions in mankind, and the condition of all governments, it seems much more reasonable to *pity*, than to envy the fortunes and dignities of princes; and to lessen or excuse their venial faults, or at least *their misfortunes*, rather than to increase or make them worse by ill colours or representations.—FOR AS EVERY PRINCE SHOULD GOVERN, AS HE WOULD DESIRE TO BE GOVERNED, IF HE WERE
A SUBJECT,

A SUBJECT, SO EVERY SUBJECT SHOULD OBEY, AS HE WOULD DESIRE TO BE OBEYED, IF HE WERE A PRINCE ; AND THIS MORAL DUTY OF DOING AS YOU WOULD BE DONE BY, EQUALLY REACHES AND APPLIES TO THE PEASANT AS THE CROWN ^a.

^a Sir William Temple.

S E C T. XXI.

THE MOB.

THIS class of men can be brought to act in concert upon no other principles than those of a frantic enthusiasm and ungovernable fury; their profound ignorance and deplorable credulity make them proper tools for any man who can inflame their passions, or alarm their superstition; *and as they have nothing to lose by the total dissolution of civil society, their rage may be easily directed against any victim which may be pointed out to them.*—

They are altogether incapable of forming a rational judgment either upon the principles or the motives of their own conduct; and whether the object for which they are made to contend, be good or bad, *the brutal arm of power* is all the assistance they can afford for its accomplishment.—To set in motion this inert mass, the eccentric vivacity of a madman is infinitely better calculated than the sober coolness of phlegmatic reason.—They need only to be provoked and irritated, and they

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never can in any other manner be called into action. In the year 1780, they assembled at London to the number of 60,000, under the direction of Lord GEORGE GORDON, and carrying fire and rapine before them, were upon the point of giving the whole city of London to one undistinguished devastation and destruction: and this, *because the parliament had mitigated the severity of a sanguinary and tyrannical law of persecution against the Roman Catholics.*—Should these people be taught that they have a right to do every thing, and that the titles of kings and nobles, and the emoluments of public offices, are all usurpations and robberies committed upon them, I believe it would not be difficult to rouse their passions, and to prepare them for every work of ruin and destruction.—But, when they are once put in motion, they soon get beyond all restraint and controul.—*The rights of man, to life, liberty, and property, oppose but a feeble barrier to them; the beautiful face of nature, and the elegant refinements of art, the hoary head of wisdom, and the enchanting smile of beauty, are all equally liable to become obnoxious to them; and as all their power consists in DESTRUCTION, whatever meets with their displeasure must be devoted to ruin.*—Could any thing but an imperious, over-ruling necessity justify any man, or
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body of men, for using *a weapon like this* to operate a revolution in government?—Such indeed was the situation of the French National Assembly, when they directed the electric fluid of this popular frenzy against the ancient fabric of their monarchy.—They justly thought that no price could purchase too dearly the fall of arbitrary power in an individual, but, perhaps, even *they* were not aware of all the consequences which might follow from committing the existence of the kingdom to the custody of a lawless and desperate rabble.

But do the people of England labour under such intolerable oppression, as would authorise any of *their patriots* ^a to employ an arm like this for their relief?—Suppose sixty thousand men should again assemble round Westminster-hall, and with clubs and fire-brands for their *sole arguments*, should compel the parliament to alter the present form of government, what would be the PROBABLE CONSEQUENCES?—Is it clear that so large a majority of the people of England have lost all their attachment to their constitution, as to insure an

^a *Patriots*, says Sir ROBERT WALPOLE, have a growth like mushrooms. It is but denying a place, or refusing an unreasonable demand, and up starts a patriot.

acquiescence in the measure throughout the kingdom? Is it certain that one quarter part of the people would obey an act extorted by such violence as this?—*Would not all friends of the present government rather rally round the standard of the constitution, and would not their duty compel them to defend it with their lives and fortunes?—If it should soon appear that they were decidedly the strongest party, would not the insurrection be extinguished in the blood of its leaders?—If the parties should prove to be nearly equal, would not the nation be involved in all the horrors of a long and bloody civil war?—In whatever point of view, the effects of this scheme are contemplated, they present nothing but prospects at which every friend of mankind must shudder^b.*

^b Mr. Adams.

S E C T. XXII.

REASONS FOR CONTENTMENT AND FEAR.

THERE are many invincible arguments, which should induce the *malcontent party* in ENGLAND at this time to *acquiesce entirely in the present settlement of the constitution.*

Is not the *present monarchical government*, in its full extent, authorized by *lawyers*, recommended by *divines*, acknowledged by *politicians*, acquiesced in, nay passionately cherished, by the *people in general*; and all this during a period of at least a hundred and sixty years, and till of late, without the *smallest murmur or controversy*?—This *general consent* surely, during *so long a time*, must be sufficient to render a *constitution legal and valid*.—If the origin of all power be derived, as is pretended, from the people; here is *their consent* in the fullest and most ample terms that can be desired or imagined.

They must be sensible that the *plan of liberty* is settled; its *happy effects* are proved by experience; a long tract

tract of time has given it *stability*; and whoever would attempt to overturn it, would, besides other more criminal imputations, be exposed to the reproach of faction and innovation.—They must be sensible that *public liberty, with internal peace and order, has flourished almost without interruption: trade and manufactures, and agriculture, have increased: the arts, and sciences, and philosophy, have been cultivated.*—Even religious parties have been necessitated to lay aside their mutual rancour: and THE GLORY OF THE NATION has spread itself all over EUROPE; derived equally from our progress in the arts of peace, and from valour and success in war.—SO LONG AND SO GLORIOUS A PERIOD NO NATION ALMOST CAN BOAST OF: NOR IS THERE ANOTHER INSTANCE IN THE WHOLE HISTORY OF MANKIND, THAT SO MANY MILLIONS OF PEOPLE HAVE, DURING SUCH A SPACE OF TIME, BEEN HELD TOGETHER, IN A MANNER SO FREE, SO RATIONAL, AND SO SUITABLE TO THE DIGNITY OF HUMAN NATURE.

It is well known, that *every government* must come to a period, and that *death* is unavoidable to the political as well as to the *animal body*.—But, as *one kind of death* may be preferable to another, it may be inquired, whether it be more desirable for the BRITISH CONSTITUTION to

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terminate

terminate in a POPULAR GOVERNMENT, or in ABSOLUTE MONARCHY?—Here I would frankly declare, that, though liberty be preferable to slavery, in almost every case; yet I should rather wish to see an *absolute monarch* than a REPUBLIC *in this island*.—For, let us consider, what kind of republic we have reason to expect.—The question is not concerning any *fine imaginary republic*, of which a man may form a plan in his closet.—There is no doubt, but a popular government may be imagined more perfect than absolute monarchy, or even than our present constitution.—But what reason have we to expect that *any such government* will ever be established in BRITAIN, upon the dissolution of our monarchy?—If any single person acquire power enough to take our constitution to pieces, and put it up a-new, he is really an absolute monarch; and *we have already had an instance of this kind, sufficient to convince us, that such a person will never resign his power, or establish any free government*.—Matters, therefore, must be trusted to their natural progress and operation; and the house of commons, according to *its present constitution*, must be the *only legislature* in *such a popular government*.—The INCONVENIENCIES attending such a situation of affairs, present themselves by thousands.—*If the house of commons,*

commons, in such a case, ever dissolve itself, which is not to be expected, we may look for a civil war every election.—If it continue itself, we shall suffer all the tyranny of a faction, subdivided into new factions.—And, as such a violent government cannot long subsist, we shall, at last, after many convulsions, and civil wars, find repose in absolute monarchy, which it would have been happier for us to have established peaceably from the beginning.—ABSOLUTE MONARCHY, THEREFORE, IS THE EASIEST DEATH, THE TRUE EUTHANASIA OF THE BRITISH CONSTITUTION ^a.

^a Hume.

ON THE
ANCIENT REPUBLICS.

S E C T. XXIII.

THE REPUBLIC OF GREECE.

THERE is not any thing more various and undefinable than *personable character*.—The same man is, at different times, so different from himself; and such a variety of circumstances and motives direct or influence his behaviour, that it is difficult to give any such general description of him.—But the *characters of nations* are marked by bolder lines, and glow with warmer colours.—The causes and circumstances which discriminate one people from another, must be such as are fitted to operate on the multitude, and consequently of a nature equally powerful and permanent; they are too strong and too palpable ever to be mistaken; and the difference of sentiment and action which they introduce, is too considerable to escape the least attentive observer.

When we confine our attention merely to the public transactions of the Greeks, and consider either their wars

with the PERSIANS, in which they struggled for independence against a foreign enemy, or their DOMESTIC CONTENTIONS, in which they fought against one another for pre-eminence, the *envy, distrust, and animosity*, discovered on such occasions, may be easily converted, by a little heightening of eloquence, into *emulation, patriotism, and courage*.—*The virtues which animated a few great men, whose minds were elevated by the important measures which they were called to conduct, and whose illustrious merit historians and biographers have been at great pains to describe, are thus construed into general characteristics of the nation*.—On such partial grounds have authors, equally distinguished by genius and learning, described with admiration the manners and institutions of the Greeks.—In reading their elegant performances on this favourite theme, we seem transported into a new and unknown country, where the wonders of art, and the virtues of men, vie with the beauties of nature and the climate, and heighten the pleasures which they afford.—Impressed with these charming, but *fanciful descriptions*, we recal, at the name of Greece, the ideas of taste, eloquence, liberty, and virtue ; and imagine, that we can never exhaust the praises of a people, among whom those inventions and discoveries, which form the

chief

chief ornament of human nature, were originally produced; and, being reared with peculiar care, attained full vigour and maturity.—The merit of that system of government, in particular, which opened a field of improvement so beneficial to man, cannot, we think, be sufficiently extolled.—If genius be the father of refined arts, *liberty*, it has been asserted, is their *mother*.—She not only gives them birth, but nourishes and supports their infant state; and the advantages most glorious for Greece, because peculiar to that country, are commonly ascribed to the REPUBLICAN INSTITUTIONS first established there, unknown in a great measure to the rest of the ancient world, and never adopted in their full extent by any modern nation.

But when we examine the effect of the Grecian institutions, which afforded such scope *to the efforts of genius*, and *to the virtues and abilities of individuals*, on THE HAPPINESS OF THE NATION AT LARGE;—and when, in this view, we contemplate the transactions of those celebrated republics in negotiation or war, as enemies, colonies, or allies, our *admiration* is converted into *pity*.—No people seem to have paid *less attention* to those common but important maxims which have been introduced for the general benefit of society; *and it may*

be

be affirmed, that their condition, even during the most brilliant period of their political existence, was more calamitous and afflicted, than that of any other polished nation which history describes.

The situation of a country with regard to its neighbours, and the revolution of public affairs, have doubtless a great influence on the manners of its inhabitants.—They are splendid and important objects, and have seldom failed to attract the attention which they deserve.—But the internal policy of a state, the abundance or scarcity of the things most necessary for life, the refinement or simplicity in which the people are accustomed to live, the progress of arts whether liberal or mechanical: these circumstances have a no less powerful effect in determining the national character; and, as they lie more concealed from ordinary observation, have commonly been neglected and forgotten.—In explaining their condition and extent, as well as their effect and tendency, among the Greeks, I shall not have occasion to describe, at any length, the singular institutions of LYCURGUS, which had ceased in a great measure to govern the SPARTANS ^a, before the commencement of the period of history which is the object of the present

^a Xenophon, de Repub. Lacedæm. Ifoc, in Archid.

inquiry.

inquiry.—Before this time, the different states of Greece had been gradually approaching to a near resemblance; and at the conclusion of the PELOPONNESIAN WAR, they had attained a striking similitude in government, manners, and laws^a.—But the features of the Greek character, which sufficiently distinguish the whole nation from every other, were more prominent, if I may say so, in the ATHENIANS, than in any of the neighbouring people.—*To them*, therefore, my observations will more particularly relate; and I shall remark, in the progress of my discourse, the principal lines of deviation from ATHENIAN MANNERS in the other Grecian republics.

In the extensive and well regulated kingdoms of modern Europe, men are deterred from injustice by the certainty of punishment.—Their pretensions, as well as their obligations, are determined by positive institution, and private competitions are seldom allowed to disturb the public tranquillity.—*In the tumultuary governments of ancient Greece the causes of dissension were innumerable; while the feeble restraint of laws, ill administered, was unable to counteract their force.*—We need only open XENOPHON, THUCYDIDES, or DIODORUS SICULUS, to ob-

^a Xenophon, de Repub. Lacedæm. Moc. in Archid.

serve the perpetual contests between rich and poor, between the friends of democracy and the partisans of aristocratical government.—ARISTOTLE informs us ^a, that in several republics, the higher ranks of people bound themselves by oath to neglect no opportunity of doing wrong to their inferiors.—We learn from XENOPHON ^b, that the populace of Athens commonly behaved to the rich, as if they had acted under the influence of an engagement no less atrocious. Amidst the opposition of contending factions in the smaller states, near one half of the community were frequently put to death ^c, or banished by the other; and, on many occasions,

^a Polit.

^b De Repub. Athen.

^c We shall mention from DIODORUS SICULUS alone a few massacres, which passed in the course of sixty years, during the most shining age of Greece. There were banished from SYBARIS 500 of the nobles and their partizans; lib. xii. p. 77. *ex edit.* RHODOMANNI. Of CHIANS, 600 citizens banished; lib. xiii. p. 189. At EPHEBUS, 340 killed, 1000 banished; lib. xiii. p. 223. Of CYRENIANS, 500 nobles killed, all the rest banished; lib. xiv. p. 263. The CORINTHIANS killed 120, banished 500; lib. xiv. p. 304. PHÆBIDAS the SPARTAN banished 300 BÆOTIANS; lib. xv. p. 342. Upon the fall of the LACEDÆMONIANS, democracies were restored in many cities, and severe vengeance taken of the nobles, after the GREEK manner. But matters did not end there. For the banished nobles, returning in many places, butchered their adversaries at PHIALÆ, in CORINTH, in MEGARA, in PHILASIA. In this last place they killed 300 of the people; but these again revolting, killed above 600 of the nobles, and banished the rest; lib. xv. p. 357. In ARCADIA 1400 banished, besides many killed. The banished retired to SPARTA and to PALLANTIUM: the latter were delivered up to their countrymen, and all killed; lib. xv. p. 373. Of the banished from ARGOS and THEBES, there were 509 in the SPARTAN

sions, the vanquished party, reinforced by foreign assistance, returned back into their country, and retorted similar injuries on their unhappy opponents ^a.—During these furious agitations, no more respect was paid to what was sacred than to what is profane.—Secret treachery conspired with open violence.—Even the principles of assassination were publicly avowed; and wretches boasted before numerous assemblies, of having insidiously murdered their fellow-citizens ^b.

In the intervals of these violent paroxysms of party-rage, private quarrels kept the state in perpetual fermentation.—The competitions for civil offices, for military command, for honours at religious solemnities, or at public entertainments, opened an ever-flowing source of bitter animosity ^c.—Neighbours were commonly at

army; *id.* p. 374. Here is a detail of the most remarkable of AGATHOCLES's cruelties from the same author. The people before his usurpation had banished 600 nobles; lib. xix. p. 655. Afterwards that tyrant, in concurrence with the people, killed 4000 nobles, and banished 6000; *id.* p. 647. He killed 4000 people at GELA; *id.* p. 741. By AGATHOCLES's brother 8000 banished from SYRACUSE; lib. xx. p. 757. The inhabitants of ÆGESTA, to the number of 40,000, were killed, man, woman, and child; and with tortures, for the sake of their money; *id.* p. 802. All the relations, *viz.* father, brother, children, grandfather, of his LIBYAN army, killed; *id.* p. 803. He killed 7000 exiles after capitulation; *id.* p. 816. It is to be remarked, that AGATHOCLES is called a man of great sense and courage, and is not to be suspected of wanton cruelty, contrary to the maxims of his age.—HUME.

^a Diodor. lib. xv. et passim.

^b Lyfias in Agorat.

^c Lyfias in his Oration relative to a consecrated Olive.

variance.

variance.—Every one was regarded as an enemy, who had not proved himself a friend.—Hereditary resentments were transmitted from one generation to another; and the seeds of discord being sown in such abundance, yielded a never-failing produce of libels, invectives, and legal prosecutions^a.

The principal employment of six thousand Athenian citizens consisted in deciding law-suits.—The courts of justice were shut on the holidays^b, which engrossed two months in the year; so that during the remaining ten, the judicial office occupied a number of persons, almost equal to a third part of the whole community^c.—These judges

^a Idem in Alcibiad. / Isoc. ibid.

^b See Lyfias against the Exchequer.

^c When I meet with persons who reproach my countrymen, that a man will pass a whole year at Athens without terminating the affairs which brought him there, whether it depends on the senate, or the assembly of the people, I have for answer—That the sole cause of this delay is the immense number of affairs; and so great is that number, that Athens is not capable of sending them all back again, after their business is concluded.

And how can the Athenians expedite them all? being always obliged to celebrate more festivals than any other Grecian states (and on these days they have not much time to bestow on other affairs). They have afterwards to decide a greater number of civil and criminal causes than are judged in all the rest of the universe; besides this the senate bestows much attention to the state of the finances and the war department. Those which are the constant cares of a state, such as attention to our allies, the receipt of the tributes, the care of the dockyards and marine arsenals, as well as what relates to religion and its worship, occupy a considerable portion of their time. Ought one to be surprised that the Athenians, overwhelmed with so many affairs, cannot terminate those of every particular?

judges determined causes not only between their fellow-citizens, but between the different subjects of the republic, who, comprehended under the various names of colonies, allies, or tributary states, were all equally amenable to the Athenian tribunals^a.—The profits arising from courts of justice afforded a valuable resource to the poorer citizens of Athens^b.—The fees to which they

Some reproach us, that there are yet ways left to terminate their affairs at Athens, and that whoever applies to the senate or the people, with money in his hand, will never be put off. I confess, by this method they finish many affairs at Athens, and that if more of the solicitors practised it, more business would be done. But I know well besides, that the Athenians will not suffer a number of urgent decisions to be settled, whatever bribery may be practised.—XENOPHON.

^a The populace behold with joy our allies coasting to Athens to prefer their numerous accusations, for in these states they hate any man that is virtuous. The Athenians know that the *sovereign country* is necessarily odious to the *people subjected*; and that if they suffer in the states the *rich*, or those who through other means *possess power* to aggrandise themselves, *the empire of the Athenian republic would not be of long continuance*. It is for THIS REASON they deprive *virtuous men* of their property, confiscate their estates, send them into exile, and even deprive them of life, at the same time they encourage and applaud wicked men. This reason is given by the way of apology by XENOPHON!

^b It appears, they reproach us for having enacted an oppressive law, in obliging our allies to try their causes *at Athens*. In answer to this, it will be proper to enumerate *all the advantages* which result to the *populace of Athens*. In the first place, the *charges* of these suits turn immediately to *their profit*, and they receive, during the course of the year, justly speaking, a daily revenue; they can, moreover, by these means, govern all the confederate states, without an Athenian ever quitting his house, or putting a vessel to sea. They have

they were lawfully entitled, amounted annually to an hundred and fifty talents; *the bribes* which they received, probably exceeded that sum; and both united, composed a sixth part of the Athenian revenues.—As the far greater proportion of judges among that litigious people were chosen promiscuously from the whole body of the citizens, they excited nothing of that *respect*

have also, by these proceedings in the tribunals, *an opportunity of acquitting those who are attached to them, and to ruin, on the contrary, those who are of the opposite party.* But if the allied states had each of them their tribunals to decide their own causes, as they bear with impatience the yoke which we impose on them, they might use, perhaps, the same means *to ruin those of their citizens who are most attached to the people of Athens.*

It will be proper to mention here many *other advantages* which accrue to the people, from the necessity imposed on our allies to judge their legal affairs at Athens. The port duty which they levy in Pireæ, and which they call the hundredth penny, produces considerably to the state. The hire of houses and slaves brings in great profit to the Athenians, who are the proprietors; and these voyages of our allies prove very advantageous to us; for the major part of our allies become seamen, and are able to work our vessels as soon as they come on board, because they are continually practising the art.

If the allies did not try their causes at Athens, they would only know, or respect, those of the Athenians who visit their coast, as the commanders of the corps of infantry, those of the galleys, and the delegates who are sent to them. Now each citizen of our allies is obliged to flatter, and conciliate himself with *all the populace*; for he foresees, that whether he has a cause at issue, or means to commence one, he must come to decide it here, not by certain magistrates, but by all the people, for such is the law at Athens. He is obliged to acquaint each Athenian in the court, to solicit him, and to take him courteously by the hand, when he enters. This custom has very much contributed to render our allies, much more than they otherwise would have been, the real slaves of the people of Athens.—XENOPHON'S Defence of the Athenians.

which,

which, in most other nations, the exercise of judiciary power naturally commands.—Instead of magistrates elevated above the common rank, and prepared by a long course of laborious education for the honourable functions to which they are called, the Athenians invested persons in the *meanest station of life*, with a power to *explain the laws*, and to *decide questions*, where **FORTUNE, LIFE, and LIBERTY**, *were at stake*.—These judges were in every respect on a level with those whose differences they determined.—As they were accustomed to the same manner of life, and engaged in the same occupations or amusements, they were naturally animated by similar feelings, and actuated by similar motives.—Hence the Athenian pleadings wear an air of peculiar liberty; the parties descend into such particulars as before no ordinary tribunal could be admitted; and, exhibiting their sentiments and character without disguise or reserve, present the most interesting, because the most genuine picture, of the manners which distinguish that celebrated age.—From a superficial view of this judicial information, the most authentic surely that can possibly be obtained, it will appear in general, **THAT GREECE WAS NOT THAT HAPPY COUNTRY WHICH HAS BEEN OFTEN SO ELOQUENTLY DESCRIBED, NOR**

INHABITED

INHABITED BY THAT GENEROUS RACE OF MEN WHO ROSE SUPERIOR TO THE LITTLE PASSIONS OF ORDINARY MORTALS.—In many respects those *fierce republicans* differed from the nations with which we are best acquainted; but in many particulars also they agreed.—*The AMOR PATRIÆ was like the patriotism of modern times, more frequently pretended than real; their public spirit, hypocrisy; and while, in order to deceive one another, they continually talked of virtue and liberty, they had, at bottom, no other object in view, in all their civil contests, but private interest and ambition*^a.

Their orations enable us not only to describe the Athenian character, but to point out the circumstances which chiefly contributed to form it.—In order to have a more complete view of this subject, we may consider the different classes of men in Athens as citizens, strangers, and slaves; and examine the manners which naturally resulted from each particular condition.—In a republic, where hereditary honours were unknown, and where the magistrates, appointed by lot, or elected by suffrage, returned at the year's end to a private station, distinction of ranks could only be founded, either

^a See Lyfias's defence of a citizen accused of destroying the ancient government.

on the personal merit, or private fortunes, of individuals.—Ancient writers continually speak of the *rich* and *poor* as the *two* principal divisions in the state.—They formed indeed *two distinct parties*^a; each of which had *its particular views* and *separate interests*.—I shall hereafter have occasion to assign more particularly the limits of Athenian fortunes; it is sufficient for the present purpose to regard those as rich, whose estates yielded the necessary comforts of life.—This class of citizens, as well as the poorer sort, till the age of forty, were bound by the duty of personal service in defence of the republic.—When relieved from this oppressive task, they were loaded with the still severer burden of public contributions.—On all extraordinary occasions they were obliged to supply the deficiencies of the exchequer^b: it was their province to exercise every public office attended with expence^c; and many private acts of generosity were rather extorted from them, than solicited, by those

^a The Athenians never suffered any one to ridicule, in their comedies, *the mass of the people*, or speak disrespectfully of them, for they cannot bear to be satirised *themselves*. But they authorize, what did I say? they excite the comic actors to display their humour in what particular they please, as they know the object of their irony will be, not a man of the popular party, or of the lower class of the Athenians, *but a rich citizen of a good and noble family*.—XENOPHON.

^b Isocrates on reforming the government of Athens.

^c Xenophon. de repub. Athen.

who stood in need of their assistance^a.—When called a second time to the performance of the same duties which had *already half ruined their fortunes*, no argument, how well soever it might be founded, and with whatever art it might be urged, was sufficient to excuse them.—They were compelled either to submit to the task, which their countrymen had imposed, or to exchange their estates with such as offered to undertake it^b.

Amidst *these* oppressive regulations, *two* circumstances were fitted to give peculiar uneasiness.—If the money required of the rich had been employed either for the relief of the distressed, or for the general interest of the community, good citizens might have consoled themselves by the prospect of *public benefits* for the loss of private fortune.—But it was not with a view to equip a fleet, to levy soldiers, to portion the daughters of the poor, or to employ their sons in agriculture and commerce, that the heaviest contributions were demanded^c.—A man might have performed all these generous offices, without being entitled to the public approbation.—*When an accusation was brought against him by those who envied*

^a Lyfias concerning the goods of Aristoph.

^b Ifoc. *ibid.*

^c Lyfias concerning the goods of Aristoph.

his prosperity, and when his liberty and life were in danger, he solicited in vain the protection of his judges, unless he could describe his magnificence in religious festivals, in theatrical entertainments, in shows and figured dances exhibited for the amusement of the people^a.—The sums laid out for these extravagant purposes were the most profitably expended; and for these alone, he had reason to expect the highest returns of favour^b.

^a Lyfias in defence of a citizen accused of bribery.

^b In order to recommend his client to the favour of the people, DEMOSTHENES enumerates all the sums he had expended. When *χορηγος*, 30 minas; Upon a chorus of men 20 minas; *εισπυρερχισταις*, 8 minas; *ανδρασι χορηγων*, 50 minas; *κυκλικω χορω*, 3 minas; Seven times, trierarch, where he spent 6 talents: Taxes, once 30 minas, another time 40; *γυμνασιαρχων*, 12 minas; *χορηγων παιδικω χορω*, 15 minas; *κομοδοις χορηγων*, 18 minas; *πυρερχισταις αγενεισις*, 7 minas; *τειρησι αμυλλομενων*, 15 minas; *αρχηθεωρος*, 30 minas: In the whole ten talents 38 minas.—An immense sum for an ATHENIAN fortune, and, what alone would be esteemed great riches, *Orat.* 20.—It is true, he says, the law did not oblige him absolutely to be at so much expence, not above a fourth.—But without the favour of the people, no body was so much as safe; and this was the ONLY way to gain it.—See farther, *Orat.* 24. *de pop. statu*.—In another place, he introduces a speaker, who says that he had spent his whole fortune, and an immense one, eighty talents, for the people.—*Orat.* 25. *de prob.* EVANDRI.—The *μετοικοι*, or strangers, find, says he, if they do not contribute largely enough to the people's fancy, that they have reason to repent it.—*Orat.* 30. *contra PHIL.*—You may see with what care DEMOSTHENES displays his expences of this nature, when he pleads for himself *de coronâ*; and how he exaggerates MIDIAS's stinginess in this particular, in his accusation of that criminal.—All this, by the by, is a mark of a very iniquitous judicature: And yet the ATHENIANS valued themselves on having the most legal and regular administration of any people in GREECE.—HUME.

But

But with regard to the money which he had been ordered to contribute for the defence of the state, he had no security that it should ever be applied for this beneficial purpose.—*The rapacity of the treasurers^a was as unbounded, as the injustice of the public was intolerable.*—The latter was open and avowed, and the citizens were so well accustomed to it, that they began to consider it in the same light with sickness, old rage, or any other natural calamity^b.—*The embezzlement of their magistrates, indeed, they bore not with equal patience.*—This is always spoken of with great warmth and indignation.—But reiterated complaints could not *correct the disorder.*—The only consolation left, was that those rapacious demagogues, after they had sufficiently enriched themselves by the plunder of their country, would in all probability be plundered in their turn, and banished, perhaps, or put to death^c.

I have already hinted at the irregularity of the Athenian tribunals; and the rich were the ordinary victims of their injustice.—These corrupt assemblies were liable to every species of undue influence.—The parties

^a Lyfias in defence of a citizen accused of bribery.

^b Lyfias against the exchequer;

^c Oration against Ergocles, in the Life of Lyfias.

came into court attended by their friends, relations, and sometimes by almost all those of the same ward or district^a: they endeavoured to *seduce*, when they could not *intimidate*; perjury and false witnesses were extremely frequent^b; and while the plaintiff and defendant used every dishonourable art for accomplishing their designs, *the judges gave loose reins to the most disorderly passions*.—They were biased by particular affections or personal resentments; guided by the capricious fury of the vulgar, *they punished with uncommon rigour the criminals who were first brought before them; when their rage began to subside, they afterwards became as weakly compassionate, as they had been before unjustly severe; they relented of their cruelty, and allowed, perhaps, the accomplices of those whom they had already condemned, or such, at least, as were tried for the same crimes, to escape unpunished*^c.

By the irregular administration of justice between one man and another, *property was rendered so precarious*, that the possession of it could not afford any considerable enjoyment.—But it was always attended with *extreme inconvenience*.—The *wealthy man* lay at the mercy of every invidious accuser who might traduce his character, and

^a Life of Lyfias.

^b Lyfias concerning the goods of Aristoph.

^c Lyfias, *ibid.* et passim.

arraign his conduct.—Before he entered on the different offices, which he was obliged to undertake, the whole tenour of his behaviour, public and private, was carefully examined by his country^a.—After he had executed these offices, he was called to a *strict account* of his administration; and, till he had satisfied his judges in that particular, he could neither alienate, nor remove, any part of his fortune; he could not travail into foreign countries; and the loss of liberty was added to complete the sum of his misfortunes^b.—It was disputed at Athens, not without reason, whether the condition of the *rich* or *poor* was the most disagreeable; and *general opinion* gave it *against the rich*, though they themselves, from the avarice natural to man, were often unwilling to be divested of those possessions which only exposed them to innumerable hardships^c.

When we consider the unhappy situation of this class of citizens, it is not to be supposed that they bore any sincere affection to the government under which they lived.—They found it necessary, indeed, to assume the appearance, and to employ the cant, of patriotism, on all public occasions.—“ The surest revenue of the state

^a Lyfias against Evander.

^b Æschines in Ctesiphont.

^c Xenophon. Sympof.

consists in the generosity of its subjects.”—“ I will employ my fortune more for the service of my country, than if it were thrown into the Exchequer^a.”—*While they endeavoured to deceive the public by such magnificent pretences, the spirit of their government led them to conceal, to deny their riches; and, as in countries where the worst species of despotism prevails, to cover under the veil of poverty the real affluence of their condition*^b.—It appears that they were even extremely indifferent about THAT LIBERTY, on which they are commonly thought to have placed so high a value^c. Lyfias mentions it as a maxim universally acknowledged, that no man was naturally more inclined to one form of government than to another; and that *private interest* was the sole foundation of all political contests.—Every citizen, indeed, supported with extraordinary intrepidity *the party* which he had

^a Lyfias in defence of a citizen accused of receiving a bribe from the enemy.

^b Demosth. de class. Isocrates on reforming the government of Athens.

^c As to me, I excuse in the populace their attachment to democracy, because it is pardonable in every man to procure to himself personal advantages; but he who is not a citizen of Athens, and yet loves better to establish himself in a democratic state, than one where the authority is in fewer hands, is to a certainty a man of bad intentions, who perceives that it is easier in such a state, for a rogue to go unpunished, and to evade the laws where democracy reigns, than under a more restricted form of government.—XENOPHON.

embraced,

embraced, because *slavery* or *death* were the natural consequences of a defeat.—In domestic dissensions, therefore, as well as in foreign wars, the Greeks gave illustrious examples of courage and force of mind, gallantry in enterprize and persevering vigour in execution, qualities, in which men familiarised to danger will commonly excel.—But these virtues they displayed sometimes in defence of one system of government, and sometimes in defence of another.—*The same persons often changed sides, as interest directed*^a; *they had no consistency of character; and if we examine the general behaviour of those who are most distinguished by particular acts of patriotism, we shall find that it by no means corresponds to the ideas commonly entertained of them.*—THRASYBULUS is regarded as one of the most unblemished characters of antiquity, and is celebrated by CICERO for having enjoyed the singular felicity of proving twice the saviour of his country. Yet THRASYBULUS is accused by his contemporaries of *receiving bribes; of accepting a ransom from his prisoners, and afterwards detaining them in captivity; of betraying the ships which he commanded to the public enemy; and of committing many other crimes equally base and flagitious*^b.—It

^a See Lyfias and Ifocrates paffim.

^b Lyfias againft Evander.

is proved that, under *unjust pretences*, he frequently extorted money from the Athenian allies.—ERGOCLES, his friend, who had assisted him in re-establishing the democracy, and who had been an accomplice in many of his crimes, was impeached by LYSIAS, tried by the Athenian assembly, and condemned to death, after being stripped of the immense sum of thirty talents, which he had amassed by injustice^a.—THRASYBULUS, by dying abroad, escaped a similar prosecution, which would probably have terminated in as disagreeable a punishment.

Few Athenians have been more generally admired than THERAMENES, who died rather than concur in the measures of the thirty tyrants^b.—XENOPHON records his sayings in his last moments, when he displayed an alacrity and firmness of mind which deserve not to be found in any character that is not *truly virtuous*.—But the punishment of THERAMENES, we are assured, was justly inflicted.—*He overturned the democracy; betrayed his country to the Lacedæmonians; and he is accused of breach of friendship, of perfidy, and of murder*^c.—After

^a See Lyfias against Ergocles in the life of Lyfias.

^b See introduction to the orations against Agoratus and Eratosthenes.

^c Lyfias against Eratosthenes.

these

these patriots of the first magnitude, it is unnecessary to mention more obscure names;—to insist on the inhumanity of THEOMNESTUS, the injustice of EVANDER, the treachery of the younger ALCIBIADES, the rapacity of PHILOCRATES, the cruelty of PHILO^a; all of whom, though they pretended to the *highest political virtue*, and aspired to the first offices of state, *were convicted of crimes, which, in any modern country of Europe, would have subjected them to an infamous death.*

If such was the character of too many of those who were styled the *better sort* of people^b, it is not to be expected that their *inferiors in rank and fortune* should have behaved *more honourably*.—The greater part of the Athenian citizens were reduced to extreme indigence^c.—Although landed property was divided among more proprietors in Greece than in any modern country, yet *five thousand citizens of Athens are said to have enjoyed no immoveable possessions.*—Destitute of patrimony or income,

^a The orations of Lyfias, passim.

^b Xenoph. De Repub. Athen.

^c There is no state where personal freedom is more tolerated than at Athens, both to slaves and strangers. It is not permitted here to beat a slave, nor will he even give way to you on the road for you to pass. I will shew the source of this local custom. If the law suffered a free man to beat a slave, a stranger, or a freed man, *he might lay violent hands on a citizen of Athens, taking him for a slave; for here the populace are not better habited than the slaves or strangers; they have no exterior distinction.*—ZENOPHON.

sufficient to procure the means of a decent subsistence, they were *too lazy* to acquire them by their own industry. —MANY led a listless insignificant life, sauntering about the public places, inquiring after news, satisfied with the gleanings of profit to be picked up in the courts of justice, or with the wretched subsistence allowed them by the treasury —Their dress was frequently so mean and dirty, that it was difficult to distinguish them from slaves^a. —“ And how is it possible,” adds ISOCRATES, “ that those who are deprived of the common necessities of life, should give themselves any trouble about the government ?” —We find, accordingly, that they were exceedingly ill-qualified for executing those offices with which they were too often entrusted. —As they had in a great measure engrossed the administration of justice, it was not uncommon at Athens to bribe the clerks employed in transcribing the laws of Solon, to abridge, interpolate, and corrupt them. —What is still more extraordinary, such a gross device frequently succeeded ; nor was the artifice discovered until the parties came into court with contradictory laws^b.

This lowest class of Athenian citizens, which, as we learn from Isocrates^c, was by far the most numerous,

^a Xenoph. de repub. Athen.

^b Life of Lyfias.

^c Oration on reforming the Government of Athens.

endeavoured to alleviate the misery of their condition by a very criminal consolation.—They persecuted their superiors, banished them their country, confiscated their estates, and behaved with unexampled licentiousness in the public assemblies^a.—It has been said, that though they were entitled to the first offices of state, they seldom attempted to obtain them^b.—But this observation is only true when confined to offices attended with expence.—When any profit could be reaped, they were ever ready to grasp it.—The management of the exchequer was the most lucrative employment in the republic ; and to be entrusted with this charge, was the high ambition of all the popular demagogues.—Yet we have a list of treasurers, regularly succeeding one another, who were raised to this confidential office from the meanest ranks in life.—Low cunning and noisy impudence elevated EUCRATES, a seller of wool, to this important station.—He was succeeded by LYSICLES, a dealer in cattle, who excelled him in these accomplishments.—HYPERBOLUS, a maker of lamps, adding profligate debauchery to his other eminent qualities, was taken into high favour ; but every competitor gave way to the matchless effrontery and bare-faced lies of CLEON, a

^a Isocrates on the Peace.

^b L'Esprit des Loix, b. i.

currier, and the son of a man who had long exercised the same liberal profession^a.—It appears, therefore, that although the Athenians were sometimes directed by the justice of an ARISTIDES, the abilities of a PERICLES, or the virtue of a PHOCION, they more frequently listened to men of an opposite character^b.—*The most turbulent, dissolute, and licentious, commonly prevailed in the assembly; and specious qualities carried off the rewards due to real merit.*—ISOCRATES^c assures us of the fact; and XENOPHON^d affirms, that it is perfectly agreeable to the nature and principles of the Athenian constitution^e.—

From

^a Aristoph. Equit. et Vesp.

^b I can positively assert, says Xenophon, that the people of Athens know very well who are the virtuous, and who are the factious citizens; but from this knowledge it results, that they attach themselves more to those *who suit them*, whom they know are at *their disposal*, however great their roguery. They thoroughly detest every one who possesses virtuous sentiments, as they are persuaded the virtue of their fellow citizens (far from being advantageous) will be prejudicial to *them*. If they protected the *moderate men*, they strengthened a party the *most opposite* to their projects. For in any state they are not men of the most exemplary character who favour popular caprice; on the contrary, they are supported by those who are the *most factious*. And it is natural each have a kind of sympathy of action, and the same principles bind them to each other.

^c Oration on reforming the Government of Athens.

^d De Repub. Athen.

^e But the populace are never solicitous to obtain those important employments, on which depend the sole safety of the Republic, or that would threaten

From the manners of those elected into the first offices, we may discover the general character of the electors.

—*It was a compound of cruelty, fraud, drunkenness, debauchery, and every vice degrading to human nature*^a.

The most miserable and most numerous class of inhabitants in Athens, were THE SLAVES.—These were treated with great severity in all the Grecian republics.—Deprived of every privilege belonging to them as men, they were punished, insulted, and tormented, at the will of a capricious master.—It was even customary to afflict them with wanton and unprovoked cruelty, and to subject them, without any offence on their part, to stripes and blows; that every spark of ingenuous nature being extinguished, they might be the better fitted for submitting to an entire and unreserved obedience.

Such was their general treatment over all Greece; but at SPARTA it was still more intolerable.—As the citi-

it with any danger, whether these employs are lucrative or burthenfome; there are no persons among the most numerous class of the people, who think they have interest enough to obtain the command of the different corps of infantry or cavalry; all of them know perfectly well, that it is their interest not to interfere in these establishments, but to resign them to more considerable citizens: *at the same time, there are NONE but will endeavour to procure the other principal employments in the Republic, from which they may derive emolument, and make their private fortune.*—XENOPHON.

^a See Lyfias against Simon. Wound from Malice aforethought, &c.

zens of that republic, when unemployed in war or political affairs, wholly addicted themselves to hunting and other amusements, the ground was cultivated, and all mechanical professions exercised, by slaves only.—These increased to such a pitch, as to become formidable to the state.—Hence they were watched with uncommon attention, and *murdered by way of sport*, or to *inure the young Spartans to blood*; and when any danger seemed to arise from them, *butchered by thousands, in a manner too shocking to be described*^a.—The conduct of the ATHENIANS with regard to their slaves was reckoned more gentle than that of any of their neighbours.—DEMOSTHENES asserts, that it was better to be a slave in Athens, than a denizen in many other republics^b.—But this is spoken like an orator; for he allows that his countrymen commonly preferred the evidence of slaves, which was always extorted *by torture*, as a more infallible method of discovering the truth, than the testimony of freemen^c.—LYSIAS frequently takes notice of the same barbarous practice.—The Athenian citizens were fond of wearing *long hair*, which was *therefore forbidden to slaves*.—*These unhappy men were depressed by every other mortifying dis-*

^a Plut. in Lycurg.

^b Philip. II.

^c In Oniter.

inction, treated as creatures of an inferior species, and might be used, as LYSIAS affirms, in any manner that seemed good to their masters^a.—Such was the boasted gentleness of the Athenian institutions; and the effects of them on the character of *masters* and *slaves* were equally pernicious.—The *former*, being accustomed to treat with severe harshness those who were subject to their authority, could not be expected to entertain very humane sentiments for their fellow-citizens. The *latter*, exposed as they were to continual indignities, and degraded below the condition of human nature, became insensible to every manly feeling; and, governed by hatred, resentment, malice, and all the worst passions incident to the human frame, “they were always more desirous of obtaining liberty by the destruction of their masters, than by the merit of their own services^b.”—HENCE THE MANNERS OF THE WHOLE NATION WERE TAINTED WITH A SAVAGE FEROCITY, OF WHICH IT IS NOT EASY, IN THE PRESENT AGE, TO FORM AN IDEA: AND EVEN THE BEST GREEK WRITERS, INFECTED BY THE GENERAL CONTAGION, DESCRIBE WITH A

^a Wound from Malice aforethought.

^b Life of Lysias. Lysias's Oration relative to a consecrated Olive.

CALM, UNFEELING INDIFFERENCE, SUCH ATROCIOUS BARBARITIES AS OUGHT NATURALLY TO EXCITE HORROR.

The hospitality of ancient times, which was deemed so important a virtue by private families ^a, was little regarded by the public.—The *strangers* who resided in Athens, though extremely numerous, were reduced to a condition nearly resembling that of emancipated slaves.—Possessed of personal freedom, they enjoyed no political or civil rights.—They had a patron indeed, who defended them from the injuries of others, but who was entitled to much deference and respect, and to many important services, in return for the assistance which he afforded.—If they neglected to perform these services, *their patron withdrew his protection; in consequence of which, their whole property was confiscated to the Athenian republic* ^b.—Besides this misfortune, which frequently befel them, they were obliged to pay *ten drachmas* ^c *annually to the exchequer*; and if they failed in making this acknowledgment at the appointed time, they were immediately *sold as SLAVES by the officers of the revenue* ^d.

^a Aul. Gell. lib. v. c. 13.

^b Lyfias against Philo.

^c Hesychius.

^d Demosthen. Orat. 1. in Aristogit.

Before

Before this actually took place, they were, in one material point, on the same footing with those subjected to domestic servitude.—*Strangers*, as well as *slaves*, were liable to be put to the question, and to have their evidence extorted BY TORTURE^a.—As foreigners were more numerous in Athens than in any other of the Grecian states, it is probable, that every where else they were treated still more rigorously; and the situation of exiles, we may suppose, was still more miserable than that of other strangers.—Hence the continual lamentations of those who are in danger of *banishment*; a *penalty thought equal to death itself*^b.—Hence likewise we may observe the rigour of the Grecian laws, particularly THE OSTRACISM, which prevailed not only in Athens, but in all the democratical states^c.—*By this institution, any citizen deemed formidable on account of his power, his riches, or his eloquence, might be banished during ten years, and reduced, of course, to the wretched condition above described*^d.

The wealth of individuals, in all the states of Greece, was extremely inconsiderable, when compared with the

^a Lyfias against Simon.

^b Lyfias, *passim*.

^c Aristot. Polit. lib. iii. c. 13.

^d Plut. in Vit. Aristid.

opulence of the modern inhabitants of Europe.—The narrow circumstances of the Athenians afford sufficient evidence of the excessive poverty of their neighbours.—SOLON divided his fellow-citizens into four classes^a.—Those of the first possessed as much land as was sufficient to produce annually five hundred *medimni*^b of grain; the estates of the second produced three hundred; those of the third, two hundred; and the lowest class were either entirely destitute of immoveable property, or possessed such small shares of land as were of very inconsiderable value.—In the time of LYSIAS, there were no less than five thousand citizens who had no landed estates^c; and the farms cultivated by others could not afford them any better subsistence than that of the meanest cottagers^d.—The income indeed of a few great families much exceeded what was necessary, by the regulations of SOLON, to constitute them of the first class.—But even the richest Athenians were by no means possessed of what would be at present deemed a magnificent fortune.—The estate of CONON, who had

^a Plut. in Solon.

^b Thirteen *medimni* are equal to fourteen bushels.

^c Lysias.

^d Lysias against the Exchequer.

been employed in many successful expeditions against the enemies of his country, exceeded not 9000l. —That of Nicophemus, which the Athenians were at great pains to appropriate for the public service, scarcely amounted to 4000l.—HIPPONICUS, who is called by Xenophon^a and by Isocrates^b the richest of the Greeks, was not worth 38,000l., admitting the computation of those who had an interest to exaggerate his wealth.—And even the splendid ALCIBIADES, whose magnificence is so highly extolled by all Greek writers, was never master of 20,000l.^c—*Although we make allowance, therefore, for the high value of money in ancient times, we must still entertain a very mean idea of Grecian opulence.—The wealthy few enjoyed but moderate fortunes, while by far the greater part lived in very straitened and miserable circumstances.*

Agreeably to these observations, we may remark, in the descriptions of ancient writers, an extreme simplicity of manners in every thing relative to private life.—*The Grecian houses, furniture, table, dress, were all of the*

^a Œconom.

^b In defence of Alcibiades.

^c Lysias's Oration relative to the Goods of Aristophanes.

meanest kind. Their houses commonly consisted of *two floors*, the *lower* of which was often employed as a *magazine* for holding the provisions necessary for the family^a. —In the habitations of the richer citizens, the apartments of the women were separated from those of the men, and the bath was frequently situated between them.—There is a striking example in *LYSIAS* of the little value which the middling ranks of people put upon their dwellings.—*A man, rather in affluent circumstances for an Athenian, succeeds to the house of his brother.—He continues in it a year, until the provisions stored in the ground-floor are consumed, and then abandons it to go elsewhere*^b.—The furniture of their houses, excepting pictures and statues (of which hereafter), appears to have been of the plainest kind.—The *LACEDÆMONIANS* made use of no other instruments but the *saw* and the *hatchet* in preparing their household accommodations^c. —Their more improved neighbours seem to have been so little acquainted with what the rudest nations in modern Europe regard as the conveniencies of life, that,

^a Xenophon. *Œconom.* Lysias against Eratosth.

^b Lysias against Diogeiton.

^c Plut. in Lycurg.

even in latter times, they were ignorant of *the use of beds*, and were satisfied with reposing on the ground^a.—*Their dress was entirely of woollen*, which originally cost them very little; but *the dirtiness of it* put them afterwards to a good deal of expence in the article of PERFUMES^b.—The Athenians indeed were much given to the pleasures of the table, which XENOPHON considers as an effect of their extensive commerce.—They imported, he says, the luxuries of ITALY, SICILY, CYPRUS, LYDIA, PONTUS, and PELOPONNESUS.—*But the greater part of the citizens*, as both XENOPHON^c and ISOCRATES^d observe, could not afford *these delicacies*; and they seldom pretended to give any *private entertainments*; they contented themselves with *public feasts*, which were celebrated with greater expence in proportion as the intervals between them were more distant.

Slavery, as it has been observed, prevailed over all Greece; but the slaves were principally occupied in arts, manufactures, or agriculture, and rarely employed as instruments of luxury or ostentation.—Even the better

^a Idem in Pelopid.

^b Lyfias, *ibid.*

^c De Repub. Athen.

^d Discourse on Reforming the Government of Athens.

sort of people at Athens submitted to the meanest domestic offices.—Their ordinary manner of life was extremely uniform.—Part of *every morning* was commonly spent in public acts of religion.—The bulk of citizens frequented, in *the forenoon*, the public assembly, or the different courts of justice.—Those whose presence was unnecessary there, and who disdained to be employed in any mechanical occupation, amused themselves with their military exercises, fauntered in the public walks, or loitered in the shops of musicians, and other artists, in which they are said to have thrown away the greatest part of their time ^a.

As *the morning* was dedicated to religion, and *the forenoon* to business, so *the evening* was the time of pleasure and dissipation.—*They had no great variety of those amusements which are found necessary in polished societies to divert languor, and to fill up the vacuities of a listless life.*—Games of hazard are always mentioned with such disgrace, that they must not have been in general use; and none but the most profligate and abandoned seem to have been much addicted to them ^b.—The men supped

^a Life of Lyfias. Ifocrates in Aerop.

^b Lyfias against Alcibiades, et passim.

apart from the women: those of better fortune commonly invited a few friends^a; and THE BOTTLE appears to have formed a material part of the entertainment.—PLATO^b allows the *free use of wine* in these convivial suppers; as nothing, he says, has a greater tendency to dispose the mind to that benevolence which often terminates in friendship.—Even SOCRATES is represented drinking in LARGE GLASSES with Agathon and Aristophanes till *early in the morning*.—The conversation, on such occasions, was often lively and agreeable, but sometimes as licentious as the debauchery was excessive^c; and so little *ashamed* were the Greeks of *their vices*, that they affected to practise them as duties of religion.—Their solemn festivals commonly ended with a supper, at which they thought themselves obliged to *get drunk* in honour of the gods^d.—This circumstance had, doubtless, its effect, in distinguishing their superstition from that of the eastern nations, from whom they had borrowed the most essential parts of their religious belief.—The worship of the EGYPTIANS was dark and gloomy; that of the GREEKS, gay and

^a Lyfias against Eratosthenes, p. 423.

^b Sympol.

^c Idem, *ibid*.

^d Aristot. ad Nichom. lib. viii.

cheerful.

cheerful.—Even the Egyptian hymns were melancholy, and consisted of complaints and lamentations; but the Grecian solemnities concluded with songs of triumph and exultation^a.—It had been fortunate for the Greeks, had they confined their debaucheries to stated times of convivial merriment; BUT THEY FREQUENTLY INTOXICATED THEMSELVES AT ALL HOURS OF THE DAY; and their excesses in a vice peculiarly hurtful in a warm climate to the powers of the understanding, led them to commit *such follies and absurdities* as are scarcely to be credited^b.

From this short description of their manner of life, it is natural to conclude, that they had made but small progress in the arts of society.—These flourish in cities, and the most polished people of Greece much affected a country life.—XENOPHON'S beautiful description of rural happiness, proves that he had felt its charms; and both THUCYDIDES^c and ISOCRATES^d assure us, that the Athenians of the first rank seldom lived in the city.—Hence *agriculture* was reckoned an honourable employ-

^a Apuleius de genio Socratis.

^b Lyfias, Wound from Malice. Against Simon, &c.

^c Lib. ii.

^d In Arcopag.

ment ;

ment; but the rules of it were little attended to, and less understood ^a.—*Commerce* was still more neglected.—That of the Athenians, though comparatively great, must have been extremely inconsiderable in itself.—There could be little competition between traders, when a ship often doubled the value of her cargo by a voyage from Athens to the Adriatic ^b.—The spirit of industry was checked by the absurd mode of taxation; *credit, the soul of commerce, was destroyed by the Grecian institutions, which rendered property precarious*; and not only the public, but private persons, were obliged to pay an exorbitant interest for the money which they had occasion to borrow ^c.

The wants and luxuries, however, of one climate are not the same with those of another.—*A comfortable dwelling, abundance of the necessaries of life, and all those domestic conveniencies which industry and commerce may procure, are deemed, in northern countries, essential to happiness.—Deprived of the advantages which these objects afford, human life would be exposed to innumerable hardships; and to obtain them in great plenty, and in high perfection, is, therefore, the main aim of industrious applica-*

^a Xenophon. *Æconom.*

^b Lyfias against Diogeiton.

^c Lyfias in Aristoph.

tion.—But in Greece, the ingenuity of man can impart few additions to the happy influence of the climate.—Nature, requiring little, has given almost all that she requires; and art is less employed in warding off inconveniencies which are weakly felt, than in procuring delights which are highly relished.—The pleasures of the eye and the ear obtain a preference to other gratifications; and poetry, painting, music, statuary, and eloquence, furnish the most essential articles of luxury.—*Notwithstanding the unhappy policies*, therefore, which prevailed in that country, and the inconsiderable progress of the Greeks in what are called the *useful arts*, they acquired unrivalled fame in those which are merely *ornamental*.—*The rage of foreign war*, as well as *the turbulence of domestic faction*, both of which were deeply rooted in the nature of the Grecian institutions, produced such effects on the progress of refined arts, as could neither have been foreseen nor expected.—The *former* encouraged *valour*, the *latter* *eloquence*; and wherever these qualities are called forth, and exerted in an eminent degree, talents, both military and civil, must attain a proportionable improvement.—The concurring influence of accidental causes promoted the same beneficial end, and favoured the dawning efforts of

Grecian

Grecian genius.—A delightful climate, a picturesque country, an harmonious language, a poetical religion; the effect of these, singly, was great; but much greater when united; and conspiring harmoniously together, they operated not only with full force, but in proper direction.

When we contemplate, however, the high attainments of the nation in general, in all the *refined arts*, we examine their character in the most favourable light in which it can possibly be viewed.—*Their magnificence in public solemnities, religious processions, and theatrical entertainments*, followed as a natural consequence; and *these matters are continually insisted on by the fond admirers of antiquity*.—But it is evident, from what has been already observed in this discourse, that neither the general improvement of manners, nor the arts of conversation and society, kept pace with the progress of those splendid, but useless amusements; and if we consider the *treatment* and character of *the fair sex*, even among the most cultivated people of Greece, the same conclusion will be rendered still more apparent.

During the early ages of society, men are either employed in acquiring the means of subsistence, or in invading their enemies and repelling their attacks.—The

natural delicacy and timidity of women render them less qualified for these occupations.—Hence, among rude nations, they are treated with neglect, and often reduced into servitude.—But when civilization has been carried to a certain pitch ; when arts, manufactures, and commerce, have made known the conveniencies and refinements of polished life, talents of the agreeable kind come to be in general request, and are soon universally esteemed.—In all these, women are fitted by nature to excel.—The imperfections of their sex gradually disappear ; they become the objects of affection, acquire respect, and assume that distinguished station in society, which is not demanded with more justice on the one side, than yielded with readiness on the other.

These observations seem natural and obvious ; and are justified, I believe, by the general history of mankind.—Yet they are not conformable to what actually took place in Greece.—Among the Athenians, a people famous indeed on account of their martial spirit, but unrivalled in the arts of peace, not more learned than polite, *according to the ideas of that age*, and distinguished by an excessive passion for those refined entertainments which prevail in polished nations, and which they enjoyed in peculiar elegance and perfection, *the treatment*
of

of women was most ungenerous and unnatural.—Excluded from the public shows and amusements, deprived even of the pleasures of domestic society, and scarcely venturing to open their lips in the presence of their nearest relations^a, they were confined with the utmost rigour to the most retired apartments of the family, employed in the meanest offices, and considered in every respect rather as the servants than as the equals of their fathers or husbands.—It was thought indecent for them to venture abroad, unless to accompany a funeral^b, to be present at a sacrifice, or to assist at some other religious solemnity.—Even on these occasions they were generally accompanied by persons who watched their behaviour.—The most innocent freedom was construed into a breach of modesty; and their reputation, once sullied by the smallest reproach, could never afterwards be retrieved.

If such severities had been exercised against them from that jealousy which often attends a violent love, and of which a certain degree is, perhaps, inseparable from a delicacy in the passion between the sexes, their condition, though not less miserable, would have been less contemptible.—But this could not be the case; the Athenians were utter strangers to that refinement of sentiment with

^a Lyfias against Diogeiton.

^b Lyfias, p. 420.

regard to the fair sex, which renders them the objects of a timid but respectful passion.—Married or unmarried, the Athenian women were kept in equal restraint ; no pains were taken to render them, at any one period of their lives, *agreeable members of society* ; and their education was either *entirely neglected*, or confined, at least, *to such objects as, instead of elevating and enlarging the mind, tended only to humble and to debase it.*—The uncommon rigour with which they were confined, was not therefore with a view to promote their own advantage, but only to render them better qualified for those services which the Athenians required them to perform.

Though neither fitted for appearing with honour in society, nor for keeping company with their husbands, they were thought capable of superintending their domestic œconomy, of acting as stewards in the family, and thus relieving the men from a multiplicity of *little cares*, which they considered as unworthy of their attention and unsuitable to their dignity.—The whole burden of such necessary, but humble concerns, being imposed on the women, their early treatment and first instructions were adapted to that *lowlife state*, beyond which

* Lyfias, p. 435.

they could never afterwards aspire.—Nothing was allowed to divert their minds from those servile occupations, in which it was intended that their whole lives should be spent; no liberal idea was presented to their imagination, that might raise them above the mechanical and vulgar arts, in which they were ever destined to labour: above all, no liberty of thought or fancy was permitted them; the smallest familiarity with strangers was deemed a dangerous offence, and any attachment beyond their own family, a heinous crime.—When they were fit for the state of wedlock, which, in the climate of Greece, happened long before their reason and understanding had arrived at maturity, they were given in marriage by *their relations*, WITHOUT BEING CONSULTED ON THE SUBJECT; and by entering into this new situation, they only exchanged the severe guardianship of a father for the *absolute government* of a husband.—As the Athenians seldom married but from motives of *conveniency*, and at a more advanced period of life than is ordinary in other countries^a, their good-will and affection could only be excited by the birth of an heir, or gradually acquired by a careful œconomy and constant circumspection^b.—

^a Aristoph. *Lyfistrat.*

^b *Lyfias*, p. 420.

Even

Even the laws of Athens favoured this unjust treatment of women, so inconsistent with all the rules of modern gallantry; and without attending to the condition of the fair sex in that republic, it is impossible to understand the spirit of their laws.

SOCRATES is introduced in Xenophon's *Memorabilia*^a conversing with ISCHOMACHUS, an Athenian citizen, who, by his good sense and great worth, had obtained universal esteem.—The philosopher desires to know, how he had acquired the favourable opinion of a people by no means famous for viewing one another's actions in the most advantageous light.—ISCHOMACHUS endeavours to satisfy him, by explaining in what manner he managed his family.—*His wife, he observes, is an excellent œconomist, or housewife; and little thanks to herself; for he had taken care to form her to so useful an office.—She was married before fifteen years of age; and the chief attention bestowed on her before that period, had consisted in allowing her to see as little, to hear as little, and to ask as few questions as possible.—What she knew, therefore, was next to nothing.—He began to instruct her, by saying, that it was the least part of his design in marrying her to have a*

^a Lib. v. De administ. domestic.

bed-fellow;

bed-fellow; because this might be easily obtained by far less trouble and formality.—His main object was to have a person, in whose discretion he could confide, who would take proper care of his servants and household, and lay out his money usefully and sparingly.—Yet this ISCHOMACHUS, who directed his wife to these gentle occupations, had been at different times trierarch, had been appointed to execute several other of the most expensive offices in the state, and was reckoned exceedingly rich^a.—By such ungenerous treatment were the most amiable part of the human species degraded, among a people in many respects the most improved of all antiquity.—They were excluded from those convivial entertainments and that social intercourse which Nature had fitted them to adorn.—Instead of leading the taste and directing the sentiments of men, their own value was estimated, like that of the most indifferent objects, only by the profit which they brought.—Their chief virtue was reserve, and their point of honour, æconomy.

Thus have I endeavoured to explain the institutions and customs which prevailed in the Grecian states, as well as the condition and character of the different classes which composed them.—I have not attempted to em-

^a Lyfias, p. 409.

bellish the portrait, much less to delineate an *ideal beauty*.—If there is any merit in the picture, it consists in its *resemblance to the original*.

But it would be injustice to these celebrated republics to omit an observation which is made by many Greek writers, and which is founded on undoubted truth.—When the Athenian^a orators had excited the resentment of their audience, by loading them with a multitude of reproaches, they often soothed their angry passions by talking of the glory of their ancestors.—Athens, they asserted, was distinguished above all cities in the world for producing men of an elevated and refined genius, fitted to excel alike in the career of arts and arms, and to command respect by the noblest virtues of the mind.—This, indeed, is the peculiar glory of all Greece, that, amidst the turbulence of democratical faction, the general corruption, and ferocious barbarity of the times, *many characters were formed which do honour to human nature*.—For the most improved state of society is not always most favourable to the highest perfection of the individual: where the *fermentation* is most violent, the *purest spirits* are sometimes extracted; and the boldest

^a *Iloc. and Demosth. passim.*

and most creative geniuses have flourished in the rudest and least cultivated ages.—*These extraordinary men* were not carried along by the torrent of popular opinion; they were sensible of the vices and follies of their countrymen; they perceived the source of their errors, and foretold their effects.—On every subject they thought differently from the vulgar, and particularly on religion, government, and manners.

But it is not the object of this discourse to describe the *characters of great men*.—I have endeavoured to exhibit the *general manners of the people*; and, from the whole, it seems reasonable to conclude, that, *if* these republicans excelled the modern inhabitants of Europe in mental vigour and abilities, *they fell short of them in every indulgent and amiable virtue*: if they surpassed all mankind in ardour, eloquence, and the talents which are required on extraordinary occasions, *they were little acquainted with the agreeable improvements of ordinary intercourse and conversation*; and if they attained unrivalled perfection in the refined arts, *they were extremely deficient in those which contribute to the comfort and happiness of private life*.—Their best qualities were all of the *splendid* kind.—Their behaviour on the great theatre of war and politics excites *admiration*.—Their history exhibits a *pompous*

spectacle to posterity.—But it appears more fortunate to have been a *speculator* than an *actor* in such agitated and perplexing scenes; to have heard the storm roar at a distance, than to have been exposed to its violence^a.

^a GILLIES.

SECT.

SECT. XXIV.

THE ROMAN REPUBLIC.

THE ROMANS, after having banished their **KINGS**, appointed **CONSULS** *annually*; a circumstance which contributed to raise them to so exalted a pitch.—In the lives of all princes there are certain periods of ambition, and these are afterwards succeeded by other passions, and even by indolence; but the commonwealth being governed by magistrates, who were changed *every year*, and who endeavoured to signalize themselves in their employment, in the view of obtaining new ones, *ambition had not a moment to lose*.—Hence it was that these magistrates were ever persuading the senate *to stir up the people to war*, and pointed out to them new enemies every day.

This body (the senate) was inclined enough to do this of their own accord; for, being quite *tired* of the *complaints and demands of the people*, they endeavoured to remove the occasion of their disquiet, and to employ them in foreign wars.

Now, the *common people* were generally *pleased* with war, because a method had been found to make it *beneficial to them*, by the judicious distribution that was made of the spoils.

Rome being a city in which neither trade nor arts flourished, the several individuals had no other way of enriching themselves but BY RAPINE.

In fine, those citizens who staid at home shared *also* in the fruits of the victory; for part of the conquered lands was confiscated, and this was subdivided into *two* portions, *one* of which was sold for the benefit of the public, and the *other* divided by the commonwealth among such citizens as were but in poor circumstances.

As the consuls had no other way of obtaining the honour of a triumph than by a conquest or a victory, this made them rush into the field with unparalleled impetuosity; they marched directly to the enemy, when force immediately decided the contest.

ROME was therefore engaged in an *eternal* and *ever-obstinate war*^a.—Now, a nation that is always

^a The more ancient Romans lived in perpetual war with all their neighbours: and in old LATIN, the term HOSTIS, expressed both a stranger and

ways at war, and that too from the very frame and essence of its government, must necessarily *be destroyed*, or *subdue all other nations*; but these being sometimes at war, and at other times in peace, could never be *so able to invade others*, nor so well prepared to defend themselves.

By this means the *Romans* attained a perfect knowledge in the military arts: in transient wars most of *the examples are lost*; peace suggests different ideas, and we forget not only our faults but even virtues.

Another consequence of the maxim of waging perpetual war, was, that the *Romans* never concluded a peace

an enemy. This is remarked by C^{ICERO}; but by him is ascribed to the humanity of his ancestors, who softened, as much as possible, the denomination of an enemy, by calling him by the same appellation which signified a stranger. *De Off.* lib. ii. It is, however, much more probable, from the manners of the times, that the ferocity of those people was so great as to make them regard all strangers as enemies, and call them by the same name. It is not, besides, consistent with the most common maxims of policy or of nature, that any state should regard its public enemies with a friendly eye, or preserve any such sentiments for them as the *ROMAN* orator would ascribe to his ancestors. Not to mention, that the early *ROMANS* really exercised piracy, as we learn from their first treaties with *CARTHAGE*, preserved by *POLYBIUS*, lib. iii. and consequently, like the *SALLEE* and *ALGERINE* rovers, were actually at war with most nations, and a stranger and an enemy were with them almost synonymous.—*HUME*.

The *Romans* considered foreigners as enemies: *Hostis*, according to *Varro de Lingua Lat.* lib. 4. signified at first a foreigner who lived according to his own laws.—*MONTESQUIEU*.

but

but when they were victorious ; and, indeed, to what purpose would it be to make an ignominious peace with one nation, and afterwards go and invade another ?

In this view their pretensions rose always in proportion to their defeat ; by this they *surprised* the conquerors, and laid themselves under a *greater necessity* of conquering.

Being for ever obnoxious to the most severe vengeance, *perseverance* and *valour* became *necessary virtues* : and these could not be distinguished, among them, from self-love, from the love of one's family, of one's country, and of whatever is dearest among men.

The world in that age was not like the world in ours : voyages, conquest, traffic ; the establishment of mighty states ; the invention of post-offices, of the sea-compass, and of printing ; these, with a certain general polity, have made correspondence much easier, and given rise, among us, to an art, called by the name of POLITICS : every man sees at one glance whatever is transacting in the whole universe ; and if a people discover but ever so little ambition, all the nations round them are immediately terrified.

It was manifestly seen, during the short time that the *tyranny* of the DECENVIRS lasted, how much the aggrandizing

grandizing of *Rome* depended on its liberty.—The government seemed to have lost the ^a soul which animated even to the minutest part of it.

There remained at that time but *two* sorts of people in the city, *those who submitted to slavery, and those who, for their own private interest, endeavoured to enslave the rest.*—The senators withdrew from *Rome* as from a foreign city; and the neighbouring nations did not meet with the least resistance from any quarter.

As the people of EUROPE, in this age, have very near the same arts, the same arms, the same discipline, and the same manner of making war; the prodigious fortune to which the ROMANS attained, seems incredible to us. Besides, power is at this time divided so disproportionably, that it is not possible for a petty state to raise itself, merely by its own strength, from the low condition in which Providence has placed it.

This merits some reflections, otherwise we might behold several events without being able to account for them; and for want of having a perfect idea of the *different situation of things*, we should believe, in perusing

^a These *Decemviri*, upon pretence of giving written laws to the people, seized upon the government. See *D. Halicarnass. Lib. 11.*

antient history, that we view a set of men different from ourselves.

Experience has shewn perpetually, that an *European prince* who has a million of subjects, cannot, without destroying himself, keep up and maintain above ten thousand soldiers; consequently, great nations only are possessed of armies.

But the case was different antiently with regard to COMMONWEALTHS: for this proportion between the soldiers and the rest of the people, which is now as one to an hundred, might, in those times, be, pretty near, as one is to eight.

The *avarice* of some particular persons, and the *lavish profuseness* of others, occasions the lands to become the property of a *few*; immediately arts are introduced to supply the reciprocal wants of the rich and poor; by which means there were but very few soldiers seen; for the revenues of the lands that had before been employed to support these, are now bestowed wholly on *slaves* and *artificers*, who administer to the luxury of the new proprietors: and it is impossible that people of *this cast* should be *good soldiers*, they being *cowardly* and *abject*; already *corrupted* by the *luxury of cities*, and often by the *very art they professed*; not to mention, that as they could
not

not properly call any country their own, and reaping the fruits of their industry in *every clime*, they had very little either to *lose or keep*.

A MONARCHY is not dragged nearer to the brink of ruin, by the *tyranny* of a prince, than a COMMONWEALTH, by a *lukewarmness* and indifference for the general good. — The *advantage* of a *free state* is, to have its revenues employed to better purposes, but where the reverse of this happens ! The *advantage* of a *free state* is, to be free from favourites ; but when the contrary is seen ! And that instead of the friends and relations of a prince, *great fortunes* must be *amassed* for the friends and relations of all persons who have any share in the government ; in this case an *universal ruin* must ensue ; the laws are then eluded more dangerously, than when infringed by a *sovereign prince*, who being always the *greatest citizen* in the *state*, is most concerned to labour at its preservation.

During the course of mighty prosperity, in which it is usual for mankind to *forget themselves*, the SENATE continued to *act* with the *same depth of judgment* ; and whilst their armies were spreading an universal terror, they would not suffer those to *rise* who were once cast to the ground.

A TRIBUNAL existed which judged *all nations*: at the close of every war it determined the *rewards* or *punishments* which every one had merited: it took away from the vanquished people part of their lands, and gave them to their allies, in which it did two things; it engaged in the interests of ROME, *princes* from whom they had *little to fear*, and *much to hope*; and they weakened *others* from whom they had nothing *to hope*, and every thing *to fear*.

In warring with an enemy they made use of their allies, but immediately *extirpated* the *destroyers*. PHILIP was overcome by the assistance of the ÆTOLIANS, who were *destroyed presently after*, for having joined themselves to ANTIOCHUS.—THIS KING was overcome by the assistance of the RHODIANS; but after the most conspicuous rewards had been bestowed upon them, they were *depressed for ever*, upon *pretence* that they had demanded to have a peace concluded with PERSIUS.

When the ROMANS were opposed by several enemies at the same time, *they* granted a truce to the *weakest*, who thought themselves happy in obtaining it; considering it as a great advantage, that their ruin had been suspended.

When

When *they* were engaged in a mighty war, the SENATE winked at wrongs of every kind, and silently waited the season proper for chastisement: if at any time a people *sent them* the *offenders*, they refused to punish them, chusing rather to consider the *whole nation as guilty*, and to reserve themselves a USEFUL vengeance.

As they made their enemies suffer *inexpressible evils*, very few leagues were formed against them; for he who was at the greatest distance from the danger, did not care to come near it.

For *this* reason war was *seldom denounced against them*, but themselves always made it at a season, in the manner, and with a people, as best suited their interest; and among the great number of nations they invaded, there were very few but would have submitted to injuries of every kind, provided they could but be suffered to live in peace.

As it was usual for them to deliver themselves always in a magisterial way, such ambassadors as they sent to nations who had not yet felt the weight of their power, were sure to meet with *ill treatment*, which furnished them with a sure ^a pretence to engage in a new war.

^a See an example of this, in their war with the *Dalmates*. See *Polybius*.

As they never concluded a peace with sincerity and integrity, and intended a general invasion, their *treaties* were properly but so many SUSPENSIONS FROM WAR; they inserted such conditions in them, as always paved the way to the ruin of those states who accepted them: they used to send the garrisons out of the strong-holds; they regulated the number of the land forces, or had the horses and elephants delivered up to them; and, in case this people were powerful at sea, they obliged them to burn their ships, and sometimes to remove higher up in the country.

After having destroyed the armies of a prince, *they drained his treasury*, by imposing a heavy tribute, or taxing him immoderately, under colour of making him defray the expence of the war: *a new species of tyranny, which obliged him to oppress his subjects, and thereby lose their affection.*

Whenever they granted a peace to some prince, they used to take one of his brothers or children *by way of hostage*, which gave them an opportunity of raising, at pleasure, commotions in his kingdom: when they had the *next heir* among them, it was their custom to intimidate the *possessor*: had they only a prince of a remote degree,

degree, they made use of him to foment the insurrections of the populace.

Whenever *any prince or any people had withdrawn from their allegiance*, they immediately indulged them with the title of ^a *Ally* to the ROMANS; and by this means they became sacred and inviolable; *so that there was no monarch, how formidable soever, who could rely one moment upon his subjects, or even upon his own family.*

Although the title of their ally was a kind of servitude, it ^b yet was very much sought after; for those who enjoyed it were sure to receive *no injuries but from them*, and had reason to flatter themselves they would be less grievous; hence nations and kings were ready to undertake any kind of services, and submitted to the meanest and most groveling acts, merely for the sake of obtaining it.

When they permitted any cities the enjoyment of their liberties, they immediately *raised two* ^c *façtions in them*, one of which defended the laws and liberties of the country, whilst the *other* asserted, that the will of the

^a See particularly their Treaty with the *Jews* in the 1st Book of the *Maccabees*, ch. 8.

^b *Ariarathes* offered a sacrifice to the gods, says *Polybius*, by way of thanks for having obtained their alliance.

^c See *Polybius* on the Cities of *Greece*.

Romans was the only law ; and as the latter faction was always the most powerful, it is plain such a liberty could be but a mere name.

They sometimes possessed themselves of a country upon pretence of being *heirs* to it : they entered *Asia*, *Bithynia*, and *Libya*, by the last wills of ATTALUS, of NICOMEDES^a, and of APPION ; and *Egypt* was enslaved by that of the king of CYRENE.

To keep *great princes* for ever in a *weak condition*, they would not suffer them to conclude an alliance with those nations to whom they had granted theirs^b, and as they did not refuse it to any people who bordered upon a powerful prince, this condition, inserted in a treaty of peace, deprived him of all his allies.

Besides, when they had overcome any considerable prince, one of the articles of the treaty was, that he should not make war, upon account of any feuds of his own, with the allies of the *Romans* (that is to say, generally with all his neighbours) ; but should submit them to *arbitration*, which deprived him of a military power for the time to come.

And in order to keep the sole possession of it in their own hands, they bereaved their very allies of this force ;

^a The son of *Philopater*.

^b This was *Antiochus's* case.

the instant these had the least contest, they sent ambassadors, who obliged them to conclude a peace: we need but consider the manner in which they terminated the wars of ATTALUS and PRUSIAS.

When any prince had gained such a conquest as *had exhausted him*, immediately a ROMAN ambassador came and *wrested it out of his hands*: among a multitude of examples, we may remember how they, with a single word, drove ANTIOCHUS out of *Egypt*.

When they saw *two nations* engaged in war, although *they were not in alliance*, nor had any contest with either of them, they nevertheless appeared upon the stage of action, and, like our knight-errants, always sided with the *weakest*: it was an ^a antient custom, says *Dionysius Halicarnassus*, for the *Romans* to grant succour to all who came to implore it.

THESE CUSTOMS OF THE ROMANS WERE NOT CERTAIN PARTICULAR INCIDENTS, WHICH HAPPENED BY CHANCE, BUT WERE SO MANY INVARIABLE PRINCIPLES; AND THIS IS EASY TO PERCEIVE, FOR THE MAXIMS THEY PUT IN PRACTICE AGAINST THE GREATEST MONARCHS WERE EXACTLY THE SAME

^a A fragment of *Dionysius*, copied from the extract of embassies, made by *Constantine Porphyrogeneta*:

WITH THOSE THEY HAD EMPLOYED, IN THEIR INFANT STATE, AGAINST THE LITTLE CITIES WHICH STOOD AROUND THEM.

Whenever there happened *any feud in a state*, they immediately judged the affair, and thereby were sure of having *that party only* whom they condemned for their *enemy*.—If *princes* of the *same blood* were at *variance for the crown*, they sometimes declared them *both kings*, and by this means crushed the power of both: If *one of them* was a ^a *minor*, they declared in *his favour*, and made themselves *his guardians* in quality of protectors of the world; for they had carried matters to so high a pitch, that nations and kings were their subjects, without knowing directly upon *what right* or *title*; it being a maxim, that the bare hearing of their names was sufficient for a people to acknowledge them their sovereigns.

When any state composed too formidable a body from its situation or union, they never failed *to divide it*.—The republic of ACHAIA was formed by an *association* of free cities; the senate declared, that *every city* should from that time be governed by its own laws, *independent* on the *general authority*.

^a To enable themselves to ruin *Syria*, in quality of guardians, they declared in favour of the son of *Antiochus*, who was but a child, in opposition to *Demetrius* who was their hostage, and conjured them to do him justice, crying, that *Rome* was his mother, and the *senators* his fathers.

The commonwealth of *Bæotia* rose likewise from a league made between several cities; but, as in the war of *PERSEUS*, *one city* declared for *that prince*, and *others* for the *Romans*, the *latter* received them into favour when the common alliance was dissolved.

Macedonia was furrounded by inaccessible mountains; the senate divided it into *four parts*; declared those *free*; prohibited them every kind alliance among *themselves* by marriage; carried off *all the nobles* into *Italy*, and by that means reduced this power to nothing.

The ROMANS never engaged in *far-distant wars*, till they had first made an alliance with some power *contiguous* to the enemy they invaded, who might unite his troops to the army they sent; and as this was never considerable with regard to numbers, they always had ^a another in that province which lay nearest the enemy, and a third in *Rome*, ever ready to march at a moment's warning.—In this manner they never hazarded but a small part of their forces, whilst their enemy ventured all his.

They sometimes insidiously abused the subtlety of the words of their language: they destroyed *Carthage* upon pretence that they had promised to preserve the *civitas*,

^a This was their constant practice, as appears from history.

not the *urbs*^a.—It is well known in what manner the *Ætolians*, who had abandoned themselves to their faith, were imposed upon; the *Romans* pretended that the fig-nification of these words, *abandon one's self to the faith of an enemy*, implied the loss of all things; of persons, lands, cities, temples, and even of burial places.

The *Romans* would even go so far, as to give arbitrary explanations to treaties: thus, when they were resolved to depress the *Rhodians*, they declared, that they had formerly given them *Lycia*, not by way of present, but as a friend and ally.

When one of their generals concluded a peace merely to preserve his army, which was just upon the point of being cut to pieces, the senate, who did not ratify it, took advantage of this peace, and continued the war.—Thus when JUGURTHA had surrounded an army of *Romans*, and permitted them to march away unmolested, *upon the faith of a treaty*, these very troops he had saved were employed against him: and when the NUMANTINES had reduced *twenty thousand Romans*, just perishing with hunger, to the necessity of suing for peace; this peace, which had saved the lives of so many

^a There is sometimes this difference between *civitas* and *urbs*; the former signifies the *inhabitants*, the latter the *buildings*.

thousand citizens, was broke at Rome, and the public faith was eluded by ^a sending back the consul who had signed it.

They sometimes would conclude a peace with a monarch upon reasonable conditions, and the instant he had executed them, they added others of so injurious a nature, that he was forced to renew the war.—Thus, when they had forced JUGURTHA to ^b deliver up his elephants, his horses, his treasures, and his deserters, they required him to surrender up his person, which being the greatest calamity that can befall a prince, cannot for that reason be ever made an article of peace.

In fine, they set up a tribunal over kings, whom they judged for their particular vices and crimes: they heard the complaints of all persons who had any dispute with PHILIP: they sent deputies with them by way of safeguard, and obliged PERSEUS to appear before these, to answer for certain murders and certain quarrels he had with some inhabitants of the confederate cities.

^a After Claudius Glycias had granted the Corsicans a peace, the senate gave orders for renewing the war against them, and delivered up Glycias to the inhabitants of the island, who would not receive him.—Every one knows what happened at the *Furcæ Caudinæ*.

^b They acted the same part with regard to Viriatus: after having obliged him to give up the deserters, he was ordered to surrender up his arms; to which neither himself nor his army could consent.—*Fragment of Dion.*

As

As men judged of the glory of a general by the quantity of the gold and silver carried in his triumph, the ROMANS stripped the vanquished enemy of all things—Rome was for ever enriching itself; and every war they engaged in, enabled them to undertake a new one.

All the nations who were either friends or confederates, quite ^a ruined themselves by the immensely rich presents they made, in order to procure the continuance of the favours already bestowed upon them, or to obtain greater; and half the monies which used to be sent upon these occasions to the Romans, would have sufficed to conquer them.

BEING MASTERS OF THE UNIVERSE, THEY ARROGATED TO THEMSELVES ALL THE TREASURES OF IT; AND WERE LESS UNJUST ROBBERS, CONSIDERED AS CONQUERORS, THAN CONSIDERED AS LEGISLATORS.—Hearing that PTOLEMY king of *Cyprus* was possessed of immense wealth, they ^b enacted a law, proposed by a tribune, by which they gave to themselves the inheritance of a man still living, and confiscated to their own use the estates of a confederate prince.

^a The presents which the senate used to send kings were mere trifles; as a chair and an ivory staff, or a robe like to that worn by their magistrates.

^b *Divitiarum tanta fama erat, says Florus, ut victor gentium populus, & donare regna consultus, socii virique regis confiscationem mandaverit.*—Lib. iii. c. 9.

In a little time the greediness of *particular persons* quite devoured whatever had escaped the *public* avarice ; magistrates and governors used to sell their injustice to kings : two competitors would ruin one another, for the sake of purchasing an ever-dubious protection against a rival who was not quite undone ; FOR THE ROMANS HAD NOT EVEN THE JUSTICE OF ROBBERS, WHO DISCOVER A CERTAIN PROBITY IN THE EXERCISE OF GUILT.— In fine, as rights, whether lawful or usurped, were maintained by money only ; princes, to obtain it, despoiled temples, and confiscated the possessions of the wealthiest citizens ; a thousand crimes were committed, purely for the sake of giving to the ROMANS all the money in the universe.

BUT NOTHING WAS OF GREATER ADVANTAGE TO THIS PEOPLE THAN THE AWE WITH WHICH THEY STRUCK THE WHOLE EARTH : IN AN INSTANT, KINGS WERE PUT TO SILENCE, AND SEEMED AS THOUGH THEY WERE STUPID ; NO REGARD WAS HAD TO THEIR EMINENCE, BUT THEIR VERY PERSONS WERE ATTACKED ; TO HAZARD A WAR, WAS TO EXPOSE THEMSELVES TO CAPTIVITY, TO DEATH, TO THE INFAMY OF A TRIUMPH.—THUS KINGS, WHO LIVED IN THE MIDST OF POMPS AND PLEASURES, DID NOT DARE TO

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FIX THEIR EYES STEDFASTLY ON THE ROMAN PEOPLE; AND THEIR COURAGE FAILING THEM, THEY HOPED TO SUSPEND A LITTLE THE MISERIES WITH WHICH THEY WERE THREATENED, BY THEIR PATIENCE AND GROVELING ACTIONS.

Observe, I intreat you, the conduct of the *Romans*.—After the defeat of *Antiochus* they were possessed of AFRICA, ASIA, and GREECE, without having scarce a single city in these countries that were immediately their own.—They *seemed* to conquer with no other view but *to bestow*; but then they obtained so complete a sovereignty, that whenever they engaged in war with any prince, they oppressed him, as it were, with the weight of the whole universe.

The time proper for seizing upon the conquered countries was not yet come.—Had the *Romans* kept the cities they took from PHILIP, the *Greeks* would have seen at once into their *designs*: had they, after the second *Punic* war, or that with ANTIOCHUS, possessed themselves of lands in ^a AFRICA and in ASIA, they could never have preserved conquests so slightly established.

^a They did not dare to venture their colonies in those countries; but chose rather to raise an eternal jealousy between the *Carthaginians* and *Massinissa*, and to make both those powers assist them in the conquest of *Macedonia* and *Greece*.

It was the interest of the Romans to wait till all nations were accustomed to obey, as free and as confederate, before they should attempt to command over them as subjects; and to let them blend and lose themselves, as it were, by little and little, in the Roman commonwealth.

This was a *slow way of conquering*: after overcoming a nation, they contented themselves with weakening it; they imposed such conditions as consumed it insensibly: if it recovered, they depressed it still more, and it became subject, without there being a possibility of dating the æra of its subjection.

Whilst ROME was conquering the world, a *hidden war* was carrying on within its walls: these were fires like those of volcanos, which break out the instant they are fed by some combustible substance.

After the *expulsion of the kings*, the government became *aristocratical*: the patrician families, only, obtained all the employments and dignities in the ^a state, and consequently all honours civil and military.

The *patricians* being determined to prevent, if possible, the return of the kings, endeavoured to *foment the*

^a The patricians were invested, in some measure, with a sacred character, and they only were allowed to take the auspices.—See in *Livy*, Book VI. the Speech of *Appius Claudius*.

restless principle which now prevailed in the minds of the people; but they did more than they would willingly have done: by attempting to inspire them with a *hatred for kings*, they fired them with an *inordinate thirst for liberty*.

—As the royal authority had devolved entirely upon the consuls, the people found they were far from possessing that liberty they were taught to idolize: they therefore sought for methods by which they might depress the *consulate*; and procure *Plebeian* magistrates; and share the *Curules*, or greater employments, with the nobles.—

The patricians were forced to comply with all the demands of the people; for in a city, where wealth, that clandestine path to power, was despised, neither birth nor dignities could bestow any great advantages: it was therefore necessary for power to fall into the hands of the greater number, and for aristocracy to change by insensible degrees into a *popular state*.

Those who are subordinate to a king, are less tortured with envy and jealousy than such as live under an hereditary aristocracy: the prince is at so great a distance from his subjects that he is scarce seen by them, and is raised so far above them, that they cannot conceive any relation capable of giving them disgust: but when the nobles preside in a state, they are exposed to the eyes of
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all men, and are not seated so high as to prevent odious comparisons from being made perpetually; and, indeed, *the people have detested nobles in this and in all ages.*—Such commonwealths in which birth does not bestow any share in the legislature, are the happiest in *this respect*; for it is natural that the people should not bear so much envy to an authority which they bestow on whom they think proper and resume at will.

*The people being disgusted at the patricians, withdrew to the sacred hill (Mons sacer), whither deputies being sent, they were appeased: and as they all made a promise to assist one another, in case the patricians should not perform their ^a engagement; which would have created seditions every moment, and disturbed all the magistrates in the exercise of their functions, it was judged better to create an officer, ^b who might protect the people against any injustice that should be done them: but by a malady for ever incident to man, the plebeians, who had obtained TRIBUNES merely to defend them, employed those very magistrates to annoy others; so that they stripped, by insensible degrees, the patricians of all their privileges.—This gave rise to everlasting contests.—The PEOPLE were supported, or rather animated, by their *tribunes*; and*

^a Zonaras, Lib. II.

^b Origin of the tribunes of the people,

the PATRICIANS were defended by the *senate*, the greatest part of which consisted of patricians, who were more inclined to favour the ancient maxims, and afraid that the populace would raise some tribune to arbitrary power.

The *people* employed in the defence of this magistrate their own strength, and the superiority they had in the suffrages; their refusal to march into the field; their threats to go quite away; the partiality of their laws; in fine, their sentences pronounced against those who had opposed them too vigorously; the *senate* defended themselves by their wisdom, their justice, and the love they inspired for one's country; by their beneficence, and the prudent distribution of the treasures of the commonwealth; by the veneration which the people had for the glory of the principal ^a families, and the virtue of illustrious personages; by religion itself, the ancient in-

^a The people had so great a veneration for the chief families, that although they had obtained the privilege of creating plebeian military tribunes, who were invested with the same power as the consuls, they nevertheless always made choice of patricians for this employment.—They were obliged to put a constraint upon themselves, and to enact, that there should ever be a plebeian consul; and when any plebeian families were raised to employments in the state, they afterwards were always carried: it was with difficulty that the people, notwithstanding the perpetual desire they had to depress the nobility, depressed them in reality; and when they raised to honours some person of mean extraction, as *Varro* and *Marius*, it cost them very great struggles.

stitutions,

stitutions, and the prohibition of days of public meeting, upon pretence that the auspices had not been favourable; by their clients; by the opposition of one tribune to another; by the creation of a ^a dictator, the occupations of a new war, or the misfortunes and calamities which united all parties: in a word, by a paternal condescension, in granting the people part of their demands, purposely to make them relinquish the rest; and by that steadfast maxim, of preferring the safety of the republic to the prerogatives of any order or public employment whatsoever.

In process of time, when the plebeians had depressed the patricians to such a degree, that this ^b distinction of families was empty and fruitless, and that both were indiscriminately raised to honours, *new contests arose* between the populace, whom their tribunes spirited up, and the chief families, whether patrician or plebeian, which latter were styled nobles, and were favoured by

^a The patricians, to defend themselves, used to create a dictator, which proved of the greatest advantage to them; but the plebeians having obtained the privilege of being elected consuls, could also be elected dictators, which quite disconcerted the patricians.—See in *Livy*, Lib. viii. in what manner *Publius Philo* depressed them in his dictatorship.—He enacted three laws, by which they received the highest prejudice.

^b The patricians referred to themselves only a few offices belonging to the priesthood, and the privilege of creating a magistrate called *Inter-rex*.

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the senate that was composed of them : but, as the ancient manners subsisted no more ; as particular persons were possessed of immense wealth, and that it is impossible but wealth must give power ; these nobles made a stronger resistance than the patricians had done, *which occasioned the death of the GRACCHI, and of ^a several persons who followed their plan.*

I must take notice of an office which greatly distinguishes the polity of *Rome* ; it was that of the *censors*.

M. LIVIUS ^b *censured the people themselves, and degraded thirty-four tribes out of the thirty-five to the rank of those who had no share in the privileges of the city ; for (said this Roman) you first condemned me, and afterwards raised me to the consulate and the censorship ; you therefore must either have prevaricated once in punishing me, or twice, in creating me consul and afterwards censor^c.*

Authors

^a As *Saturninus* and *Glaucias*.

^b *Livy*, Lib. xxix.

^c I am persuaded (says the celebrated Spanish traveller, the Rev. Mr. TOWNSEND) that ours is, and that *none* but a *mixed government* can be *free*.—Under the Roman kings, the patricians and plebeians were not free ; under the decemvirs, the plebeians were miserably oppressed ; the tribunes of the people, in their turn, sacrificed the patricians ; and when the power of the consuls happened to balance that of the tribunes, every thing stood still, or fell into such anarchy and confusion, that the consuls were obliged to name a dictator

Authors enlarge very copiously on the *divisions* which proved the destruction of *Rome*, but their readers seldom discover *those divisions to have been always necessary and inevitable*.—Diffensions were not to be prevented; and *those martial spirits*, which were so *fieree* and *formidable abroad*, could not be habituated to any *considerable moderation at home*.—Those who expect in a free state to see *the people undaunted in war, and pusillanimous in peace*, are certainly desirous of *impossibilities*; and it may be advanced as a general rule, that whenever a *perfect calm is visible*, in a state that calls itself a *republic*, THE SPIRIT OF LIBERTY NO LONGER SUBSISTS.

Union, in a body politic, is a very equivocal term: *true union* is such a harmony as makes all the particular parts, as opposite as they may seem to us, concur to the general welfare of the society, in the same manner as *discords* in music contribute to the general melody of sound.—*Union* may prevail in a state full of seeming commotions; or, in other words, there may be an harmony from whence results prosperity, which alone is true peace, and may be considered in the same view as the various parts of this universe, which are eternally

for the time, with despotic power.—These ever have been, and ever must be, the miserable effects of power, when not *properly balanced*, as in the *constitution of our government*.—*Vide* Free Thoughts on Despotic Governments.

connected

connected by the *operations* of some, and the *reactions* of others.—Hence the *opposition party* is no defect in the constitution of the BRITISH GOVERNMENT, unless it be desirous of *subverting* the *mixed form*.

I am of opinion that the sect of *Epicurus*, which began to be propagated at *Rome* towards the close of the republic, was very prejudicial to the minds and genius of the people^a.—The *Greeks* had been infatuated with its doctrines long before, and consequently were corrupted much *earlier* than the *Romans*.—We are assured by *Polybius*, ^b that *oaths*, in his time, could not induce any person to place confidence in a GREEK, whereas they were considered by a *Roman* as inviolable obligations upon his conscience.

There is a passage in one of *Cicero's* letters to *Atticus*, which manifestly discovers how much the *Romans* had degenerated in this particular since the time of *Polybius*.

^a *Cyneas* having discoursed of the doctrines of this sect at the table of *Pyrrhus*, *Fabricius* said, he wished the *enemies* of *Rome* would all embrace such kind of principles.—Life of *Pyrrhus*.

^b If you lend a talent to a *Greek*, and bind him to the repayment, by ten engagements, with as many securities, and witnesses to the loan, it is impossible to make them regard their word; whereas, among the *Romans*, whether it be owing to their obligation of accounting for the public and private money, they are always punctual to the oaths they have taken.—For which reason, the apprehensions of infernal torments were wisely established, and it is altogether irrational to oppose them at this time.—*Polyb.* l. vi.

^c Lib. iv. let. 18.

MEMMIUS

MEMMIUS (says he) imparted to the senate the agreement *he* and his *fellow-candidate* had made with the *consuls*, by which *these* stipulated to favour the *others* in their solicitations for the consulship the ensuing year; and *these* obliged themselves to pay four hundred thousand sesterces to the consuls, if they did not furnish them with *three augurs*, who should declare they themselves were present when the PEOPLE MADE THE CURIATIAN LAW^a, though in reality it had not been enacted; and *two former consuls*, who should affirm they had assisted at signing the EDICT OF THE SENATE WHICH REGULATED THE STATE OF THE PROVINCES ASSIGNED TO THE PRESENT CONSULS, notwithstanding no such edict was in being.—What an admirable set of people do we discover in a single contract!

The grandeur of the state, in general, constituted *the greatness of its particular members*; but as AFFLUENCE consists in *conduct*, and not in *riches*; that wealth of the *Romans*, which had *certain limitations*, introduced a luxury and profusion which had *no bounds*.—Those who

^a The *Curiatian* law disposed of the military power, and the edict of the senate regulated the troops, the money, and officers, that were to be allotted to the governors: now *the consuls*, in order to accomplish these particulars to their own satisfaction, contrived a *false law* and a *false edict of the senate*.

had been at first corrupted by their opulence, received the same taint in their *poverty*, by *aspiring after acquisitions that no way comported with private life*; it was difficult to be a GOOD CITIZEN under the influence of strong desires and the regret of a large fortune that had been lost: people, in this situation, were prepared for any desperate attempt; and, as *Salust*^a says, there was, at THAT TIME, a generation of men, who, as they had no patrimony of their own, could not endure to see others more prosperous than themselves^b.

The chief difference between the *domestic* œconomy of the ancients and that of the moderns consists in the practice of SLAVERY, which prevailed among the former, and which has been abolished for some centuries throughout the greatest part of EUROPE.—Some passionate admirers of the ancients cannot forbear regretting the loss of this institution; and whilst they brand all submission to the government of a single person with the harsh denomination of Slavery, they would gladly reduce the greatest part of mankind to *real* slavery and subjection.—

^a *Ut merito dicatur genitos esse, qui nec ipsi habere possent vos familiares, nec alios pati.*—Fragment of *Salust*, cited by *Augustin* in his book of *The City of God*, Lib. ii. c. 18.—See also CATALINE's speech against the nobles and rich men of the states.

^b *Montesquieu*.

But

But to one who considers coolly on the subject it will appear, that human nature, in general, really enjoys *more liberty at present, in the most arbitrary government of Europe, than it ever did during the most flourishing period of ancient times.*—As much as submission to a petty prince, whose dominions extend not beyond a single city, is more grievous than obedience to a great monarch; so much is domestic slavery more cruel and oppressive than any civil subjection whatsoever.—The more the master is removed from us in place and rank, the greater liberty we enjoy; the less are our actions inspected and controlled; and the fainter that cruel comparison becomes between our own subjection, and the freedom, and even dominion of another.—The remains which are found of domestic slavery in the AMERICAN colonies, and among some EUROPEAN nations, would never surely create a desire of rendering it more universal.—*The little humanity, commonly observed in persons accustomed from their infancy to exercise so great authority over their fellow-creatures, and to trample upon human nature, were sufficient alone to disgust us with that unbounded dominion.—Nor can a more probable reason be assigned for the severe, I might say, barbarous manners of ancient times, than the practice of domestic slavery; by which*

every man of rank was rendered a petty tyrant, and educated amidst the submission and low debasement of his slaves.

The custom of exposing *old, useless, or sick slaves*, in an island of the TYBER, there to starve, seems to have been *pretty common* in ROME; and whoever recovered, after having been so exposed, had his liberty given him, by an edict of the emperor CLAUDIUS; where it was likewise forbidden to kill any slave merely for old age or sickness^a.—But supposing that this edict was strictly obeyed, would it better the domestic treatment of slaves, or render their lives much more comfortable? We may imagine what others would practise, when it was the professed maxim of the elder CATO, to sell his superannuated slaves for any price, rather than maintain what he esteemed a useless burden^b.

The ERGASTULA, or dungeons, where slaves in chains were forced to work, were very common all over *Italy*.—COLUMELLA^c advises, that they be always built under ground; and recommends^d it as the duty of a careful overseer, to call over every day the names of these slaves, like the mustering of a regiment or ship's company, in

^a SEUTONIUS in vita CLAUDII.

^b PLUT. in vita CATONIS.

^c Lib. i. c. 6.

^d Id. lib. xi. c. 1.

order to know presently when any of them had deserted. As a proof of the frequency of these *ergastula*, and of the great number of slaves usually confined in them, SICILY, says FLORUS^a, was full of *ergastula*, and was cultivated by labourers in chains.—EUNUS and ATHENIO excited the servile war, by breaking up these monstrous prisons, and giving liberty to 60,000 slaves.—The younger POMPEY augmented his army in *Spain* by the same expedient^b.

SENECA, when drawing a picture of that disorderly luxury which changes day into night, and night into day, and inverts every stated hour of every office in life, among other circumstances, such as displacing the meals and times of bathing, mentions, that, regularly about the third hour of the night, the *neighbours* of one, who indulges this false refinement, *hear the noise of whips and lashes*; and, upon enquiry, find that he is *then* taking an account of the conduct of his servants, and giving them due correction and discipline.—This is not remarked as *an instance of cruelty*, but *only of disorder*, which, even in actions the most usual and methodical, changes the fixed hours that an established custom had assigned for them.

^a Lib. iii. c. 19.

^b Id. lib. iv. c. 8.

The term for a slave, born and bred in the family, was *VERNA*^a; and these slaves seem to have been entitled by custom to privileges and indulgences beyond others; a sufficient reason why the masters would not be fond of rearing many of that kind^b.—It is well known that

DEMOSTHENES,

^a As *fervus* was the name of the genus, and *verna* of the species, without any correlative, this forms a strong presumption that the latter were by far the least numerous.—It is an universal observation which we may form upon language, that where two related parts of a whole bear any proportion to each other, in numbers, rank, or consideration, there are always correlative terms invented, which answer to both the parts, and express their mutual relation.—If they bear no proportion to each other, the term is only invented for the less, and marks its distinction from the whole.—Thus *man* and *woman*, *master* and *servant*, *father* and *son*, *prince* and *subject*, *stranger* and *citizen*, are correlative terms: but the words *seaman*, *carpenter*, *smith*, *taylor*, &c. have no correspondent terms, which express those who are no seaman, no carpenter, &c.—Languages differ very much with regard to the particular words where this distinction obtains; and may thence afford very strong inferences concerning the manners and customs of different nations.—The military government of the ROMAN emperors had exalted the soldiery so high, that they balanced all the other orders of the state: hence *miles* and *paganus* became relative terms; a thing, till then, unknown to ancient, and still so to modern languages.—Modern superstition exalted the clergy so high, that they overbalanced the whole state: hence *clergy* and *laity* are terms opposed in all modern languages; and in these alone.—And from the same principles I infer, that if the number of slaves bought by the ROMANS from foreign countries, had not extremely exceeded those bred at home, *verna* would have had a correlative, which would have expressed the former species of slaves.—But these, it would seem, composed the main body of the ancient slaves, and the latter were but a few exceptions.

^b *Verna* is used by ROMAN writers as a word equivalent to *scurra*, on account of the petulance and impudence of those slaves.—MART. lib. i. ep. 42.

—HORACE

DEMOSTHENES, in his nonage, had been defrauded of a large fortune by his tutors, and that afterwards he recovered, by a prosecution at law, the value of his patrimony.—His orations, on that occasion, still remain, and contain an exact detail of the whole substance left by his father^a, in money, merchandize, houses, and slaves, together with the value of each particular.—Among the rest were *fifty-two slaves*, handicraftsmen, viz. 32 sword-cutlers, and 20 cabinet-makers^b; all males; not a word of any wives, children, or family, which they certainly would have had, had it been a common custom at ATHENS to breed from the slaves: and the value of the whole must have much depended on that circumstance.—No female slaves are even so much as mentioned, except some house-maids, who belonged to his mother.—This argument has great force, if it be not altogether conclusive.

Consider this passage of PLUTARCH^c, speaking of the Elder CATO.—“ He had a great number of slaves, “ whom he took care to buy at the sales of *prisoners of*

—HORACE also mentions the *vernæ procaces*; and PETRONIUS, cap. xxiv. *vernula urbanitas*.—SENECA, *de provid.* c. i. *vernularum licentia*.

^a In *Amphobum orat.* i.

^b *κλινωποιοι*, makers of those beds which the ancients lay upon at meals.

^c In *vita CATONIS*.

“ war ; and he chose them young, that they might
 “ easily be accustomed to any diet or manner of life,
 “ and be instructed in any business or labour, as men
 “ teach any thing to *young dogs* or *horses*.—And esteem-
 “ ing *love* the chief source of all disorders, he allowed
 “ the male slaves to have a commerce with the female
 “ in his family, upon paying a certain sum for this
 “ privilege : but he strictly forbade all intrigues out of his
 “ family.”—Are there any symptoms in this narration
 of that care, which is supposed in the ancients, of the
 marriage and propagation of their slaves ? If that was a
 common practice, founded on general interest, it would
 surely have been embraced by CATO, who was a *great*
œconomist, and lived in times when the ancient fru-
 gality and simplicity of manners were still in credit and
 reputation.

It is expressly remarked by the writers of the ROMAN
 law, that scarcely any ever purchase slaves with a view
 of breeding from them ^a.

XENOPHON in his *œconomics*, where he gives direc-
 tions for the management of a farm, recommends a strict

^a “ Non temere ancillæ ejus rei causâ comparantur ut pariant.”—*Digest.*
 lib. v. tit. 3. *de hæred. petit. lex* 27.

care and attention of laying the male and the female slaves at a distance from each other.—He seems not to suppose that they are *ever married*.—The only slaves among the GREEKS that appear to have continued their own race, were the HELOTES, who had houses apart, and were more the slaves of the public than of individuals ^a.

VARRO as well as COLUMELLA ^b, recommends it as requisite to give a wife to the overseer, in order to attach him the more strongly to his master's service.—This was therefore a *peculiar indulgence* granted to a slave in whom so great confidence was reposed.

HISTORY MENTIONS A ROMAN NOBLEMAN WHO HAD 400 SLAVES UNDER THE SAME ROOF WITH HIM : AND HAVING BEEN ASSASSINATED AT HOME BY THE FURIOUS REVENGE OF ONE OF THEM, THE LAW WAS EXECUTED WITH RIGOUR, AND ALL WITHOUT EXCEPTION WERE PUT TO DEATH.

Nothing so common in trials, even of civil causes, as to call for the evidence of slaves ; which was always extorted by the most *exquisite torments*.—DEMOSTHENES says^c, that, where it was possible to produce, for the

^a STRABO, lib. viii.

^b Lib. i. c. 18.

^c In *Oniterem orat.* 1.

same fact, either freemen or slaves as witnesses, *the judges always preferred the torturing of slaves, as a more certain evidence*^a.

^a The same practice was very common in ROME; but CICERO seems not to think this evidence so certain as the testimony of free citizens.—*Pro Cælio*.

The *inhuman sports* exhibited at ROME, may justly be considered as an effect of the people's contempt for their vanquished enemies, or slaves, and was also a great cause of the general inhumanity of their princes and rulers.—Who can read the accounts of the amphitheatrical entertainments without horror? Or who is surprised that the rulers should treat that people in the same way the people treated their fellow creatures? One's humanity, on that occasion, is apt to renew the barbarous wish of CALIGULA, that the people had but one neck: a man could almost be pleased, by a single blow, to put an end to *such a race of monsters*.—HUME.

SECT.

SECT. XXV.

GENERAL OBSERVATIONS

ON

THE ANCIENT REPUBLICS.

WE may observe, that the ancient republics were almost always in *perpetual war*, a natural effect of their martial spirit, their love of liberty, their mutual emulation, and that hatred which generally prevails among nations that live in close neighbourhood.—Now, war in a small state is much more destructive than in a great one; both because *all the inhabitants*, in the former case, must serve in the armies; and because the whole state is frontier, and is all exposed to the inroads of the enemy.

The maxims of *ancient war* were much more *destructive* than those of modern; chiefly by that distribution of plunder, in which the soldiers were indulged.—The private men in our armies are such a low set of people, that we find any abundance, beyond their simple pay, breeds confusion and disorder, and a total dissolution of discipline.

discipline.—The very wretchedness and meanness of those who fill the modern armies, render them less destructive to the countries which they invade: one instance, among many, of the deceitfulness of first appearances in all political reasonings.

Ancient battles were much more *bloody*, by the very nature of the weapons employed in them.—The ancients drew up their men 16 or 20, sometimes 50 men deep, which made a narrow front; and it was not difficult to find a field in which both armies might be marshalled, and might engage with each other.—Even where any body of the troops was kept off by hedges, hillocks, woods, or hollow ways, the battle was not so soon decided between the contending parties, but that the others had time to overcome the difficulties which opposed them, and take part in the engagement.—And as the whole army was thus engaged, and each man closely buckled to his antagonist, the battles were commonly very bloody, and great slaughter was made on both sides, especially on the vanquished.—The long thin lines required by fire-arms, and the quick decision of the fray, render our modern engagements but partial rencounters, and enable the general, who is foiled in the beginning of the day,

to draw off the greatest part of his army sound and entire.

The battles of antiquity, both by their duration, and their resemblance of single combats, were wrought up to a degree of fury quite unknown to later ages.—Nothing could then engage the combatants to *give quarter*, but the hopes of profit, by making slaves of their prisoners.—In civil wars, as we learn from TACITUS^a, the battles were the most bloody, because the prisoners were not slaves.

What a stout resistance must be made, where the vanquished expected so hard a fate! How inveterate the rage, where the maxims of war were, in every respect, so bloody and severe!

Instances are frequent, in ancient history, of cities besieged, whose inhabitants, rather than open their gates, murdered their wives and children, and rushed themselves on a voluntary death, sweetened perhaps by a little prospect of revenge upon the enemy.—GREEKS^b, as well as BARBARIANS, have often been wrought up to this degree of fury.—And the same determined spirit and

^a Hist. lib. ii. c. 44.

^b As ABYDUS, mentioned by LIVY, lib. xxxi. c. 17, 18. and POLYB. lib. xvi.—As also the XANTHIANS, APPIAN, *de bell. civil.* lib. iv.

cruelty

cruelty must, in other instances, less remarkable, have been destructive to human society, in those petty commonwealths, which lived in close neighbourhood, and were engaged in perpetual wars and contentions.

Sometimes the wars in GREECE, says PLUTARCH^a, were carried on entirely by *inroads*, and *robberies*, and *piracies*.—Such a method of war must be more destructive, in small states, than the bloodiest battles and sieges.

By the laws of the twelve tables, possession during two years formed a prescription for land; one year for moveables^b: an indication, that there was not in ITALY, at that time, much more order, tranquillity, and settled police, than there is at present among the TARTARS.

The only cartel I remember in ancient history, is, that between DEMETRIUS POLIORCETES and the RHODIANS; when it was agreed, that a free citizen should be restored for 1000 *drachmas*, a slave bearing arms for 500^c.

It appears also that *ancient manners* were more unfavourable than the modern, not only in times of *war*, but also in those of *peace*; and that too in every respect.—To exclude FACTION from a free government is very

^a *In vita ARATI.*

^b INST. lib. ii. c. 6.

^c DIOD. SICUL. lib. xx.

difficult,

difficult, if not altogether *impracticable*.—In ancient history we may always observe, where one party prevailed, whether the nobles or people (for I can observe no difference in this respect^a) that they immediately *butchered* all of the opposite party who fell into their hands, and banished such as had been so fortunate as to escape their fury.—*No form of process, no law, no trial, no pardon.*—A fourth, a third, perhaps near a half of the city was slaughtered, or expelled, every revolution; and the exiles always joined foreign enemies, and did all the mischief possible to their fellow-citizens, till fortune put it in their power to take full revenge by a new revolution.—*And as these were frequent in such violent governments, the disorder, diffidence, jealousy, enmity, which must prevail, are not easy for us to imagine in this age of the world.*

There are only *two revolutions* I can recollect in ancient history, which passed without great severity, and great effusion of blood in massacres and assassinations; namely the restoration of the *Athenian democracy* by THRASYBULUS, and the subduing of the *Roman republic*

^a LYSIAS, who was himself of the popular faction, and very narrowly escaped from the thirty tyrants, says, that the *Democracy* was as violent a government as the *Oligarchy*.—*Orat. 24. de statu popul.*

by CÆSAR. — We learn from ancient history, that THRASYBULUS passed a general amnesty for all past offences; and first introduced that word, as well as practice, into GREECE^c. — It appears, however, from many orations of LYSIAS^b, that the chief, and even some of the subaltern offenders, in the preceding tyranny, were tried, and capitally punished. — This is a difficulty not cleared up, and even not observed by antiquarians and some historians. — And as to CÆSAR's clemency, though much celebrated, it would not gain great applause in the present age. — He butchered, for instance, all CATO's senate, when he became master of *Utica*^c; and these, we may readily believe, were not the most worthless of the party. — All those who had borne arms against that usurper, were attainted; and, by *Hirtius's* law, declared incapable of all public offices.

The utmost energy of the nervous style of THUCYDIDES, and the copiousness and expression of the GREEK language, seem to sink under that historian, when he attempts to describe the disorders, which arose from FAC-

^a CICERO, PHILIP, I.

^b As *orat. II. contra ERATOST. orat. 12. contra AGORAT. orat. 15. pro MANTITH.*

^c APPIAN. *de bell. civ. lib. ii.*

tion throughout all the *Grecian commonwealths*.—You would imagine, that he still labours with a thought greater than he can find words to communicate.—And he concludes his pathetic description with an observation, which is at once refined and solid.—“*In these contrasts,*” says he, “*those who were the dullest and most stupid, and had the least foresight, commonly prevailed: for being conscious of this weakness, and dreading to be overreached by those of greater penetration, they went to work*”
 “HASTILY, WITHOUT PREMEDITATION, BY THE
 “SWORD AND PONIARD, AND THEREBY GOT THE
 “START OF THEIR ANTAGONISTS, WHO WERE FORM-
 “ING FINE SCHEMES AND PROJECTS FOR THEIR DE-
 “STRUCTION^a.”

Not to mention *Dionysius*^b the Elder, who is computed to have butchered in cold blood above 10,000 of his fellow-citizens; or *Agathocles*^c, *Nabis*^d, and others, still more bloody than he; the transactions, even in free governments, were extremely violent and destructive.—At ATHENS, the thirty tyrants and the nobles, in a twelvemonth, murdered, *without trial*, about 1200 of

^a Lib. iii.^b PLUT. *de virt. & fort.* ALEX.^c DIOD. SIC. lib. xviii, xix.^d TIT. LIV. lib. xxxi, xxxiii, xxxiv.

the people, and banished above the half of the citizens that remained^a.—In ARGOS, near the same time, the people killed 1200 of the nobles; and afterwards their *own demagogues*, because they had refused to carry their prosecutions farther^b.—The people also in CORCYRA killed 1,500 of the nobles, and banished a thousand^c.—These numbers will appear the more surprising, if we consider the extreme smallness of these states.—But all ancient history is full of such instances^d.

When

^a DIOD. SIC. lib. xiv. ISOCRATES says there were only 5000 banished.—He makes the number of those killed amount to 1500.—AREOP. ÆSCHINES *contra* CTESIPH. assigns precisely the same number.—SENECA (*de tranq. anim.* c. 5.) says 1300.

^b DIOD. SIC. lib. xv.

^c DIOD. SIC. lib. xiii.

^d We shall mention from DIODORUS SICULUS alone a few massacres, which passed in the course of sixty years, during the most shining age of GREECE.—There were banished from SYBARIS 500 of the nobles and their citizens; lib. xii. p. 77. *ex edit.* RHODOMANNI.—Of CHIANS, 600 citizens banished; lib. xiii. p. 189.—At EPHEBUS, 340 killed, 1000 banished; lib. xiii. p. 223.—Of CYRENIANS, 500 nobles killed, all the rest banished; lib. xiv. p. 263.—The CORINTHIANS killed 120, banished 500; lib. xiv. p. 304.—PHÆSIDAS the SPARTAN banished 300 BÆOTIANS; lib. xv. p. 342.—Upon the fall of the LACEDÆMONIANS, democracies were restored in many cities, and severe vengeance taken of the nobles, after the GREEK manner.—But matters did not end there.—For the banished nobles, returning in many places, butchered their adversaries at PHIALÆ, in CORINTH, in MEGARA, in PHLIASIA.—In this last place they killed 300 of the people; but these again revolting, killed above 600 of the nobles, and banished

the

When *Alexander* ordered all the exiles to be restored throughout all the cities, it was found, that the whole amounted to 20,000 men^a; the remains, probably, of still greater slaughters and massacres.—WHAT AN ASTONISHING MULTITUDE IN SO NARROW A COUNTRY AS ANCIENT GREECE! AND WHAT DOMESTIC CONFUSION, JEALOUSY, PARTIALITY, REVENGE, HEART-BURNINGS, MUST TEAR THOSE CITIES, WHERE Factions were wrought up to such a degree of FURY AND DESPAIR!

the rest; lib. xv. p. 357.—In ARCADIA 1400 banished, besides many killed.—The banished retired to SPARTA and to PALLANTIUM: the latter were delivered up to their countrymen, and all killed; lib. xv. p. 373.—Of the banished from ARGOS and THEBES, there were 509 in the SPARTAN army; *id.* p. 374.—Here is a detail of the most remarkable of AGATHOCLES's cruelties, from the same author.—The people, before his usurpation, had banished 600 nobles; lib. xix. p. 655.—Afterwards that tyrant, in concurrence with the people, killed 4000 nobles, and banished 6000; *id.* p. 647.—He killed 4000 people at GELA; *id.* p. 741.—By AGATHOCLES's brother 8000 banished from SYRACUSE; lib. xx. p. 757.—The inhabitants of ÆGESTA, to the number of 40,000, were killed, man, woman, and child; and with tortures, for the sake of their money; *id.* p. 802.—All the relations, *viz.* father, brother, children, grandfather, of his LIBYAN army, killed; *id.* p. 803.—He killed 7000 exiles after capitulation; *id.* p. 816.—It is to be remarked, that AGATHOCLES is called a man of great sense and courage, and is not to be suspected of wanton cruelty, contrary to the maxims of his age.

^a DIOD. SIC. lib. xviii.

It would be easier, says *Isocrates* to *Philip*, to raise an army in GREECE at present from the *vagabonds* than from the cities.

Even when affairs came not to such extremities (which they failed not to do almost in every city *twice* or *thrice every century*) property was rendered very precarious by the maxims of ancient government.—XENOPHON, in the banquet of SOCRATES, gives us a natural unaffected description of the tyranny of the ATHENIAN people.—“In my poverty,” says CHARMIDES, “I am
 “ much more happy than I ever was while possessed of
 “ riches; as much as it is happier to be in security than
 “ in terrors, free than a slave, to receive than to pay
 “ court, to be trusted than suspected.—Formerly I was
 “ obliged to carefs every informer; some imposition
 “ was continually laid upon me; and it was never allowed me to travel, or be absent from the city —At
 “ present, when I am poor I look big, and threaten
 “ others.—The rich are afraid of me, and show me
 “ every kind of civility and respect; and I am become a
 “ kind of tyrant in the city ^a.”

In one of the pleadings of LYSIAS ^b, the orator very

^a Page 385. *ex edit.* LEUNCLAV.

^b *Orat.* 29. in NICOM.

cooly speaks of it, by the by, as a maxim of the ATHE-
NIAN people, that whenever they wanted money, *they*
put to death some of the rich citizens, as well as strangers,
for the sake of the forfeiture.—In mentioning this, he
seems not to have *any intention of blaming them*; still less
of *provoking them*, who were *his audience and judges*.

Whether a man was a citizen or a stranger among
that people, it seems indeed requisite, either that he
should impoverish himself, or the people would impove-
rish him, and perhaps kill him into the bargain.—The
orator last mentioned gives a pleasant account of an estate
laid out in the public service; that is, above the third of
it in raree-shows and figured dances.

*Besides many other obvious reasons for the instability of
ancient monarchies, the equal division of property among the
brothers in private families must, by a necessary consequence,
contribute to unsettle and disturb the state.—The universal
preference given to the elder by modern laws, though it in-
creases the inequality of fortunes, has, however, this good
effect, that it accustoms men to the same idea in public suc-
cession, and cuts off all claim and pretension of the younger.*

The new settled colony of *Heraclea*, falling imme-
diately into faction, applied to *Sparta*, who sent *HERI-
PIDAS* with full authority to quiet their dissensions —

This man, not provoked by *any opposition*, not inflamed by *party rage*, knew no better expedient than immediately putting to death about 500 of the citizens^a.—A strong proof how deeply rooted these *violent maxims of government* were throughout all GREECE.

If such was the disposition of men's minds among *that refined people*, what may be expected in the commonwealths of ITALY, AFRIC, SPAIN, and GAUL, which were denominated *barbarous*? Why otherwise did the GREEKS so much value themselves on *their humanity, gentleness, and moderation, above all other nations*? This reasoning seems very natural.—But unluckily the history of the ROMAN commonwealth, in its earlier times, if we give credit to the received accounts, presents an opposite conclusion.—No blood was ever shed in any sedition at ROME till the murder of the GARCCHI.—DIONYSIUS HALICARNASSEUS^b, observing the singular humanity of the ROMAN people in this particular, makes use of it as an argument, that they were originally of GRECIAN extraction: whence we may conclude, that the factions and revolutions in the *barbarous republics* were usually more violent than even those of GREECE above mentioned.

^a DION. SIC. lib. xiv.

^b Lib. i.

IF THE ROMANS WERE SO LATE IN COMING TO
 BLOWS, THEY MADE AMPLE COMPENSATION AFTER
 THEY HAD ONCE ENTERED UPON THE BLOODY
 SCENE; AND APPIAN'S HISTORY OF THEIR CIVIL
 WARS CONTAINS THE MOST FRIGHTFUL PICTURE
 OF MASSACRES, PROSCRIPTIONS, AND FORFEITURES,
 THAT EVER WAS PRESENTED TO THE WORLD.—
 WHAT PLEASES MOST, IN THAT HISTORIAN, IS, THAT
 HE SEEMS TO FEEL A PROPER RESENTMENT OF THESE
 BARBAROUS PROCEEDINGS; AND TALKS NOT WITH
 THAT PROVOKING COOLNESS AND INDIFFERENCE,
 WHICH CUSTOM HAD PRODUCED IN MANY OF THE
 GREEK HISTORIANS^a.

One

^a The authorities cited above, are all historians, orators, and philosophers, whose testimony is unquestioned.—It is dangerous to rely upon writers who deal in ridicule and satire.—What will posterity, for instance, infer from this passage of Dr. SWIFT: “I told him, that in the kingdom of TRIBNIA
 “ (BRITAIN) by the natives called LANGDON (LONDON) where I had so-
 “ journed some time in my travels, the bulk of the people consist, in a man-
 “ ner, wholly of discoverers, witnesses, informers, accusers, prosecutors, evi-
 “ dences, swearers, together with their several subservient and subaltern in-
 “ struments, all under the colours, the conduct, and pay of ministers of state
 “ and their deputies.—The plots in that kingdom are usually the workman-
 “ ship of those persons,” &c.—GULLIVER'S *Travels*.—Such a representation might suit the government of ATHENS, but not that of ENGLAND, which is remarkable, even in modern times, for *humanity, justice, and liberty*.—Yet the doctor's satire, though carried to extremes, as is usual with him, even

One general cause of the disorders, so frequent in all ancient governments, seems to have consisted in the great difficulty of establishing any ARISTOCRACY in those ages, and the perpetual discontents and seditions of the people, whenever even the meanest and most beggarly were excluded from the legislature and from public offices.—The very quality of a *freeman* gave such a rank, being opposed to that of *slave*, that it seemed to entitle the possessor to every power and privilege of the commonwealth.—SOLON's ^a laws excluded no freeman from votes or elections, but confined some magistracies to a particular *census*; yet were the people never satisfied till those laws were repealed.—By the treaty with ANTIPATER ^b, no ATHENIAN was allowed a vote whose *census* was less than 2000 *drachmas* (about 60 *l. sterling*).—And though such a government would to us appear sufficiently democratical, it was so *disagreeable to that people*, that above two-thirds of them immediately left their country ^c.—CASSANDER reduced that *census* to the half ^d;

even beyond other satirical writers, did not altogether want an object.—The Bishop of ROCHESTER, who was his friend, and of the same party, had been banished a little before by a bill of attainder, with *great justice*, but without such a proof as was legal, or according to the strict forms of common law.

^a PLUTARCHUS *in vita SOLON*.

^b DIOD. SIC. lib. xviii.

^c Id. *ibid*.

^d Id. *ibid*.

yet

yet still the government was considered as an oligarchical tyranny, and the effect of foreign violence.

SERVIUS TULLIUS's ^a laws seem equal and reasonable, by fixing the power in proportion to the property: yet the ROMAN people could never be brought quietly to submit to them.

In those days there was NO MEDIUM *between a severe, jealous aristocracy, ruling over discontented subjects; and a TURBULENT, FACTIOUS, TYRANNICAL DEMOCRACY.*

There are many *other circumstances*, in which ancient nations seem inferior to the modern, both for the happiness and increase of mankind.—Trade, manufactures, industry, were nowhere, in former ages, so flourishing as they are at present in EUROPE.—The only garb of the ancients, both for males and females, seems to have been a kind of flannel, which they wore commonly white or grey, and which *they scoured as often as it grew dirty.*—I do not remember a passage in any ancient author, where the growth of the city is ascribed to the establishment of *a manufacture.*—The commerce, which is said to flourish, is chiefly the exchange of those com-

^a TIT. LIV. lib. i. c. 43.

modities, for which different soils and climates were suited.—The sale of wine and oil into AFRICA, according to DIOPORUS SICULUS^a, was the foundation of the riches of AGRIGENTUM.—The situation of the city of SYBARIS, according to the same author^b, was the cause of its immense populousness; being built near the two rivers CRATHYS and SYBARIS.—But these two rivers, we may observe, are not navigable; and could only produce some fertile vallies, for agriculture and husbandry; an advantage so inconsiderable, that a modern writer would scarcely have taken notice of it.

The barbarity of the ancient tyrants, together with the extreme love of liberty, which animated those ages, must have banished every merchant and manufacturer, and have quite depopulated the state, had it subsisted upon industry and commerce.—While the cruel and suspicious *Dionysius* was carrying on his butcheries, who, that was not detained by his landed property, and could have carried with him any art or skill to procure a subsistence in other countries, would have remained exposed to such implacable barbarity? The persecutions of

^a Lib. xiii.

^b Lib. xii.

Philip II. and *Lewis XIV.* filled all EUROPE with the manufacturers of FLANDERS and of FRANCE.

I grant, that *agriculture* is the species of industry chiefly requisite to the subsistence of multitudes ; and it is possible, that this industry may flourish, even were manufactures and other arts unknown and neglected.—*Switzerland* is at present a remarkable instance ; where we find, at once, the most skilful husbandmen, and the most bungling tradesmen, that are to be met with in EUROPE.—That agriculture flourished in *Greece* and *Italy*, at least in some parts of them, and at some periods, we have reason to presume ; and whether the mechanical arts had reached the same degree of perfection, may not be esteemed so material ; especially, if we consider the great equality of riches in the ancient republics, where each family was obliged to cultivate, with the greatest care and industry, its own little field, in order to its subsistence.

But is it just reasoning, because agriculture may, in some instances, flourish without trade or manufactures, to conclude, that, in any great extent of country, and for any great tract of time, it would subsist alone ? *The most natural way, surely, of encouraging husbandry, is, first,*

to excite other kinds of industry, and thereby afford the labourer a ready market for his commodities, and a return of such goods as may contribute to his pleasure and enjoyment. —This method is infallible and universal; and, as it prevails more in modern government than in the ancient, it affords a presumption of the superior populousness of the former.

Every man, says *Xenophon*^a, may be a farmer: no art or skill is requisite: all consists in industry, and in attention to the execution.—A *strong proof*, as *COLUMELLA* hints, that agriculture was but little known in the age of *XENOPHON*.

All our later improvements and refinements, have they done nothing towards the easy subsistence of men, and consequently towards their propagation and increase? Our *superior skill in the mechanics*; the *discovery of new worlds, by which commerce has been so much enlarged*; the *establishment of posts*; and the *use of bills of exchange*: these seem all extremely useful to the encouragement of art, industry, and populousness.—Were we to strike off these, what a check should we give to every

^a Oecon.

kind of business and labour, and what multitudes of families would immediately perish from want and hunger? And it seems not probable, that we could supply the place of these new inventions by any other regulation or institution.

Have we reason to think, that the police of ancient states was anywise comparable to that of modern, or that men had then equal security, either at home, or in their journeys by land or water? I question not but every impartial examiner would give us the preference in this particular.

Thus, upon comparing the whole, it seems impossible to assign any just reason, why the world should have been *more prosperous* and *populous* in ancient than in modern times.—The equality of property among the ancients, liberty, and the small divisions of their states, were indeed circumstances favourable to the propagation of mankind; BUT THEIR WARS WERE MORE BLOODY AND DESTRUCTIVE, THEIR GOVERNMENTS MORE FACTIOUS AND UNSETTLED, COMMERCE AND MANUFACTURES MORE FEEBLE AND LANGUISHING, AND THE GENERAL POLICE MORE LOOSE AND IRREGULAR.—THESE LATTER DISADVANTAGES SEEM

TO FORM A SUFFICIENT COUNTERBALANCE TO THE
FORMER ADVANTAGES; AND RATHER FAVOUR THE
OPPOSITE OPINION TO THAT WHICH COMMONLY PRE-
VAILS WITH REGARD TO THIS SUBJECT².

² Hume.

END OF THE FIRST VOLUME.





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